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1996

Illinois Register

Rules of Governmental Agencies

Volume 20, Issue 28 - July 12, 1996

Pages 8746 - 9444

Index Department Administrative Code Div. 111 East Monroe Street Springfield, IL 62756 (217) 782-7017 http://www.sos.state.il.us

published by George H. Ryan Secretary of State

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Editor's Note: The Sections Affected Index and cumulative Index for rules published as of June jo, 1996 will appear in the July 19 linkings Register (Issue 29).

REGISTER PUBLICATION SCHEDULE 1996

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please note: When the Register deadline falls on e State holiday, the deadline becomes 4:30 p.m. on Monday (the day before)

- Heading of the Part: Animal Diagnostic Laboratory Act
- 8 Ill. Adm. Code 113 Code Citation:
- Section Numbers:
- Proposed Action: Amendment Amendment
- Statutory Authority: Animal Disease Laboratory Act (510 ILCS 10)
- A Complete Description of the Subvects and issues involved: The Eess for completeness and westurbar sconscious in Section 10.13 with they lover fees added for multiple sapples. The Ees for reporting results by facsimile in Section 110.120 will be eliminated.
- Will this proposed rule replace an emergency rule in effect? 6
- Does this rulemaking contain an automatic repeal date?
- Does this proposed amendment contain incorporations by reference?
- Are there any other proposed amendments pending on onus Part?
- ü Statement of Statewide Policy Objectives: Rule does not affect units iccal governments.
- addition to the written comment period, a public hearing on the proposed Time, Place and Manner in which interessed persons may comment on this A 45-day winter comment period will begin on the smaking appears in the Illinois Register. In Agriculture Building, 8th & Sangamon, State Ealigrounds, Springfield, Illinois. Please mail written comments on the proposed rulemaxing to the amendments will be held on August 21, 1396 at 10:00 a.m., Department rulemaking appears proposed rulemaking: day the notice of rul

Department of Agriculture State Fairgrounds Debbie Wakefield

[217] 785-5713; facsimile ,217) 785-4515 Springfield, IL P.O. 30x 19281

order for mailed comments to be available for consideration at the public hearing, please mail to later than August 15, 1996. All comments received will be fully considered by the agency and the Advisory Board of The public hearing on the proposed rulemaking will run concurrently with a

Livestock Commissioners.

ILLINOIS REGISTER

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

public meeting of the Advisory Board of Livestock Commissioners.

Initial Requiatory Flexibility analysis:

Types of small businesses, small municipalities and not-for-orbit corporations affected: Producers of livestock, veterinarians, or anyone requesting laboratory services.

Reporting, bookkeeping or other procedures required for compliance: Persons requesting iaboratory services must pay the fees being charged for the desired tests or services. 3)

No additional Types of professional skills necessary for compliance: professional skills are required.

13) Regulatory agends on which this rulemaxing was summarized: July 1996 The full text of the Proposed Amendments begins on the next page:

MOTICE OF PROPOSED AMENDMENTS

(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS) SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS DEPARTMENT OF AGRICULTURE AGRICULTURE AND ANIMALS TITLE 8: CHAPTER IS

ANIMAL DIAGNOSTIC LABORATORY ACT

Section

Submitting Specimens	yment 70	Tests Not Covered By Fee Schedule	inimum Zees	45	inical Patholog	stopathology Fe	
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	.20 Submitting Specimen	.20 Submitting Specimens .30 Payment For Laboratory Service	20 Submitting Specimens 30 Payment For Laboratory Services 40 Tests Not Covered By Fee Schedul.	20 Submitting Specimens 30 Payment For Laboratory Services 410 Tests Not Covered By Fee Scheduli 50 Minimum Fees	20 Submitting Specimens 30 Payment For Laboratory Services 43 Passa Not Covered By Fee Schedul 53 Minimum Fees 53 Extransia Fees	20 submitting Specimens 20 submitting Specimens 43 Payage To Laboratory Services 53 Milluma Tees 50 Milluma Tees 70 Clinical Pathology Rees	20 Sublishing Sectors 31 Payment Tog Canochard 31 Payment For Laboratory Services 4.1 Pass Not Covered 3y Fee Schedul Minima Fees 5.1 Minima Fees Fees 7.0 Clinical Enhances Fees 7.0 Clinical Enhances 19.9 Fees 8.8 Histopathology Fees 5.3 Histopat

Midrobiology Sees Parasitology Fees Poxicology Pees

Miscellaneous Sees

Meats Chemistry Jees Liquor Control Commission Fees

AUTHORITY: Implementing and authorized by the Animal Disease Laboratory Act 510 ILCS 101.

III. Reg. 1359, #feeting Speciment (), 1999, mestedda is 16.11. Reg. Illife, 1891, medicine 11/7, 1, 1972, mestedd as 18 111. Reg. 1855, effective Pablicusty (), 1954, mestedd as 18 111. Reg. 1143, *feeting December (), 1954, mestedd at 7 10. 110, 889, 1559, #feeting English (), 2559, mestedd at 20 111. Reg. effective

Section 110.90 Microbiology Fees

The following are the Sees for microbiology:

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ILLINOIS REGISTER

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DEPARTMENT OF AGRICULTURE

AMENDMENTS
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NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF AGRICULTURE

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Section 110.120 Miscellaneous Fees

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ILLINOIS REGISTER

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NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF AGRICULTURE

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- MOTICE OF PROPOSED AMENDMENTS
- Heading of the Part: Bovine Brucellosis
- Code Citation: 8 Ill. Adm. Code 75

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75	75	75	75	75	75	100
	75.5 Amendment					

Illinois Bovine Brucellosis Eradication Act [510 Statutory Authority: ILCS 30]

7

A Complere Description of the Subjects and Issues Involved: In Sections 75.5, 75.10, 75.60, and 75.120, the current edition of the Code of Federal Regulations will be adopted.

slaughter animals on route to the slaughter facility and to ensure that "5.70 and 75.80 will be amended to prohibit the diversion of all proper paperwork accompany the animals.

This tag A new vaccine for bovine brucellosis was approved by the U.S. Department of Agriculture in the spring of 1396. The USDA is requiring a special for animals vaccinated with the RB-51 vaccine. requirement will be added to Section 75.60. vaccination tag

negative test for bivogliosis. Since there is a chance that animals from other than a class Fee Stee may be consigned to a Misconsin marker, Illinosis is classifying in Section 75.80 that it will not accept animals Wisconsin is allowing cattle to leave their auction markets without a from out-of- state markets unless the animal has had a negative test within the past thirty days.

- Will this proposed rule replace an emergency rule in effect? No
- Does this rulemaking contain an automatic repeal date? No
- Does this proposed amendment contain incorporations by reference?

Zes

- Are there any other proposed amendments pending on this Part? No
- Statement of Statewide Policy Objectives: Rule does not affect units of local governments. 10)
- Time, Place and Manner in which interested persons may comment 11

ILLINOIS REGISTER

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

addition to the written comment period, a public hearing on the proposed aendemis will be held on August 21, 1996 at 10:00 a.m., Department of Agriculture Building, 8th & Sangamon, State Pairgoonds, Springfield, A 45-day written comment period will begin on the illinois. Please mail written comments on the proposed rulemaking to the day the notice of rulemaking appears in the illinois Register. rulemaking:

217/785-5713; facsimile 217/785-4505 State Fairgrounds, P.O. Box 19281 Springfield, IL 62794-9281 Department of Agriculture Debbie Wakefield

order for mailed comments to be available for consideration at the public hearing, please mail no later than August 15, 1996. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners. The public nearing on the proposed rulemaking will run concurrently with a public meeting of the Advisory Board of Livestock Commissioners.

Initial Regulatory Elexibility Analysis:

12)

- Types of small businesses, small municipalities and not-for-profit <u>corporations affected:</u> Siaugnter ouyers: livestock markets dealing with cattle: farmers; and veterinations. (A
- Appropriate forms must accompany slaughter animals en route to Reporting, bookkeeping or other procedures required for compliance: slaughter facilities. B)
- Types of professional skills necessary for compliance: No additional professional skills are required.
- 13) Regulatory agenda on which this rulemaking was summarized: July 1996 The full text of the Proposed Amendments begins on the next page:

NOTICE OF PROPOSED AMENDMENTS

EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS) SUBCEAPTER b: ANIMALS AND ANIMAL PRODUCTS DEPARTMENT OF AGRICULTURE AGRICULTURE AND ANIMALS TITLE 8: CHAPTER I:

BOVINE BRUCELLOSIS PART 75

	Brucello	
Definitions Incorporation by Reference	Official Classification of the Results of the Brucello Permits to Conduct Official Brucellosis Tests	The second secon
75.5		

Section

is Blood Test

Tests Conducted at State Expense or for Interstate or Export Shipment Tests Conducted at Cuner's Expense for Intrastate Movement (Repealed)

Codemnity 75.50

Herds Revealing Reactors Identification of Cattle

Sale of Suspects and Negative Animals From Quarantined Herds Release of Herds or Cartle Under Quarantine Hends Revealing Suspects Only 75.30

and Establishing Brucellosis-Free Herds of Cartle for Identification Tags Requirements 75.1.0 75.130

Maintaining

Certified

Famale Cartie-Beef Breeds--18 Months and Over Sale of Quarantined Feeding or Grazing Cattle Cattle for immediate Slaughter Seeding or Grazing Cartle

Additional Requirements on Cattle from States Designated as Class B Release of Feeding or Grazing Cattle from Quarantine Slaughter Cattle from Class 3 or Class C States Official Calfhood Vaccination Dairy or Breeding Cattle and Class C States 75.190

Brucellosis Standard Plate Test of Officially Vaccinated Cattle Brucellosis Standard Place Test of Non-Vaccinated Cattle and Bison Recognition of Brucellosis State Status and Bison (Repealed) (Repealed)

PABLE A

Implementing and authorized by the Illinois Bovine Brucellosis Eradication Act (510 ILCS 30].

SOURCE: Asquisions Selected to Bootne Barcellosis, filed "anuary 77, 1972, Defector "annuary 77, 1972, Defector "annuary 77, 1972 filed Source 54, 1972, effective December 54, 1972 filed Unes 70, 1973, effective December 54, 1972 filed Unes 70, 1973; filed December 54, 1973, filed December 54, 1973, effective December 54, 1973, effective December 54, 1973 filed

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MOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF AGRICULTURE

manede a r 111.867 712. Fétellor infinity 1.185. 1981. Golfard a r 111.867. 101.867. August 19, 1975, effective August 29, 1975; filled March 12, 1976, effective March 12, 1976; filed June 21, 1976, effective July 1, 1976; filed December 29, 1976, effective June 18, 1977, emerged at 2 III. Reg. 42, p. 55, effective June 18, 1978, emerged at 3 III. Reg. 43, 43, 1979, effective August 24, 1979, effective May 15, 1397, americad at 12 III. Reg. 1386, effective Jinuary 22, 1389, americad at 13 III. Reg. 1315, effective Natural 15, 1399, americad at 13 III. Reg. 1311, effective Junary 19, 13991 americad at 3 III. Reg. 1331. effective January 24, 1994; amended at 20 Ill. Reg. 1509, effective January 12, , effective .996; amended at 20 Ill. Reg.

Section 75.5 Definitions

The definitions for the rules of this Part shall be as stated in 8 Ill. Code 20.1. The following definition shall also apply: means the Illinois Bovine Brucellosis Eradication Act [510 ILCS

individual records of

"Registered animal" means an animal for which

purpose is the improvement of the bovine species, and for which individual registration certificates are issued and recorded by such ancestry are recorded and maintained by a breed association whose Department are those recognized by the United States Department of The breed associations recognized by Agriculture (9 CFR 51.1, 1996 1995). breed association.

Reg. 111. at t (Source: Amended

75.10 Official Classification of the Results of the Brucellosis Blood Section

- blood and milk rests shall be as prescribed in the Brucellosis Sradication Uniform Methods and Rules as approved by the Uniced States the official tests and classification of results for the brucellosis Avenue, Richmond, Virginia 23228, May 6, 1992 as amended February 2, 1993 and June 16, 1994) and the United States Department Animal Health Association (P.O. Box 3227, Suite 114, Agriculture and/or 9 CFR 73.1 (1396 1995). (B)
 - The card (Buffered Brucella Antigen) test or Buffered Acidified Plate Antigen (BAPA) test shall be the official tests used at licensed livestock auction markers in the State, The CITE (Registered) test (q

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The official brucellosis test for cattle imported into Illinois sha	into Illinois sha
be one conducted at an approved laboratory	

Ill. Reg. 20 (Source: Amended at

Section 75.60 Identification of Cattle

- All purebred or crossbred cattle subject to registration vaccinated vaccination by their registration number, or dam's registration example, 4V7---"4" means the last quarter (Oct., Nov., Dec.) of the year, "V" means vaccinated, and "7" means the year (example 1957). with brucella abortus vaccine shall be identified on the report of number, or record association approved individual tattoo or microchip. In addition time of vaccination by a tattoo in the right ear. When ising a Strain vaccine, the Phe tattoo shall snow the quarter and year of tne quarter shail precede the letter "V" in the shield and the last Then using a PB-51 raccine, the tattoo shall show the letter "R", then Federal snield followed by the last number of the year the animal was maconnated (example, 276 would be an animal maccinated with the vaccination and the letter "V" in the Federal shield. The number All grade or not permanently identified cattle so vaccinated shall to the above identification, all animais shall be identified at figure of the year shall follow the letter "V" in the shield, in the right ear with an identification tag. tagged
- RB-51 raccine in 1985.
 All cattle, accept paramently identified purebred or crossbred animals, rested for procellosis in the Stare of the Illinois shall be identified by an ear tag placed in the right ear, which tag shall bear a prefix number or letter followed by the number on the face of the â
- Purebred or crossbred registered cattle may be identified for test or Vaccination by the purebred or crossbred registration number individual registration breed tattoo or microchin. tag, and on the reverse side shall bear the word "Illinois."

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Section 75.70 Herds Revealing Reactors

The entire herd shall be placed under quarantine and the reactor

Reactors shall be shipped for slaughter to a public stockyards, a animals shall be : mmediately isolated from the remainder of the nerd. slaughtering establishment accompanied by United States Department of Agriculture VS Form 1-27 Permit For Movement of Animals and shipment reported to the Department. Reactors shall not be diverted from the livestock auction market, or directly to

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destination listed on the VS Form 1-27, and any other shipping forms must accompany the darble or bison to their lestination. The outer of such animals must also ensure that the VS form 1-27 and any other All reactors shall be reactor tagged and branded by an accredited shipping forms are given to the driver transporting the animals their destination.

G

effective

vererinarian or a veterinarian in the employ of the Department or the Animal and Plant Health Inspection Service within 10 days of report by the taboratory. ADE Form 1-23 (Indemnity Claim for Cattle Slaughtered) snail be submitted in duplicate. Such reactor animais shall be shipped within 15 days after tagging and branding.

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Suspects or negative exposed animals from herds inder quarantine may be shipped by the owner direct to a recognized shaughtering establishment, a public Department. Sissects Keal to a diversed from the desiration listed in the 198 Some 198 Some and the state of the secondary the state of the secondary the secondary the secondary of the secondary the animals to their destination. Such cattle are to be identified by an ear agsupplied by the Department and by branding with a not iron the letter "S" on regulation when moved direct from a feedlot on the quarantined premises to a recognized slaughtering establishment in a vehicle which has been sealed by a stockyards or to a licensed livestock auction market, accompanied by Sederal Form 1-27 and any other shipping forms are given to the driver transporting the the left jaw in letters not less than 2 nor more than 3 inches in height, before the animals leave the premises where they are quarantined, except that cattle for slaughter shall be exempt from the "S" branding requirements of this Section 75.80 Sale of Suspects and Negative Animals From Quarantined Herds Form VS 1-27 to be sold for staughter only and snipment reported to

Department employee, or a person designated by the Department. Reg. (Source: Amended at

Section 75.120 Requirements

for Establishing and Maintaining Certified Accordance with the Brucellosis Sradication Uniform Methods and Rules Cortified brucellosis-free nerds shall be established and maintained Brucellosis-Free Herds of Cattle

Approved by the chirac Accompany of the 23228) May 6, 1992 as amended chiracter of the chirac of the approved by the United States Animal Realth Association (P.O. Box K227, Suite *ebruary 2, 1993 and June 16, 1994) and the United Stares Degarrment Agriculture and/or 9 CER 71.1 (1996 1995). February 2, 1993 and

effective Reg. (Source: Amended

NOTICE OF PROPOSED AMENDMENTS

Section 75.180 Dairy or Breeding Cattle

All dairy of breeding cattle transported or moved into the State of Illinois, unless said cutch as econsigned lises to band delivered by the transportation or within the confines of a public procyacies or marketing center, shall be accompanied by an official certificate of heatin shouling:

A his most notice over 5 months of age are negative to brucellosis blood reas, within 31 days prior to shipment of continued by the state of spinaced from a certified brucellosis-free bend, Class Fee State or country Certified by the dimber ship be given and the carries shall be identified by set not mineral, registration came and the

oncie fabile elegative the transfer and the number, static of the number of the number

O Gartie ase official brownloads cathood vaccinates under 24 months of an office for seeds and in the case of the

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DEPARMTENT OF AGRICULTURE WOTICE OF PROPOSED AMENDMENTS

- Heading of the Part: Diseased Animals
- 2) Code Citation: 8 Ill. Adm. Code 85
- Proposed Action: Amendment Section Numbers: 85.100 85.115 35.15 35.40 35.50 85.75
- 4) Statutory Authoritz, Illinois baseade Animale Act (5) 1002 50), Section 6 of the Illinois Bovies Brucellosis Eradication Act (5) 1102 910, Universed Autority Act (2) 1102 910, Act (2) 1103 910, Act (2) 1103 61, Act (2) 11
- A <u>Complete Americation of the Subverts and Issues Involved:</u> in Sections 85.5, 85.15, 35.50, 35.175, and 35.115, the ourcent edition of the Code of Pederal Regulations will be abopted.

A To Section 35.10, emergency culemaking was initiated and effective on 470.98 (20 III Reg. 581) making infections emegaloughtists, infections languages that paramyocitis infection (other than Adversale) reportable diseases. This emergency rule will be proposed for

Section 85.10 will be amended to include livestock consigned to slaughter from euction markets, marketing energes, livescock dealers or any other gathering point at regular intervals for immediate slaughter.

in Section 3.15); the execution for public scookeards will be datered, and language included to comer their forms that may be required by the Opparament form entry into Illinois will be added "Ampaige Illi also be added "Ampaige Illi answering to promise the "Ampaige Illi and "Ampaige Illi be added to publish it adversaries or anxwering energia; including energia; consigned on suppression and ampaige Illinois or anxwering energia;

In Section 35.125, two additional types of official identification for ratites will be added.

 Will this proposed rile replace an emergency rule in effect?? Yes, Section 85.10 published in May 10, 1996 Illinois Register (20 III. Reg. 6581,

NOTICE OF PROPOSED AMENDMENTS

Does this rulemaking contain an automatic repeal date? No

effective 4/30/961.

- Does this proposed amendment contain incorporations by reference?
- Are there any other proposed amendments pending on this Part?
- Statement of Statewide Policy Objectives: Rule does not affect units of Local governments. 10
- <u>Proposed cilenating:</u> A 15-day witten comment period will begin on the day the notice of fullensting a feet of the addition of the written comment period, a public hearing on the proposed amendments will be held on August 21, 1996 at 10:00 a.m., Department of Agriculture Building, 8th & Sanganon, State Fairgrounds, Springfield, Time, Place and Manner in which interested persons may comment on this Illinois. Please mail written comments on the proposed rulemaking to the attention of:

Springfield, IL 62794-9281 217/785-5713; facsimile 217/785-4505 State Fairgrounds, P.O. Box 19281 Department of Agriculture Debbie Wakefield

In order for malled comments to be available for consideration at the public hearing, please mail no later than August 15, 1996. All comments order for mailed comments to be available for consideration at the received will be fully considered by the agency and the Advisory Board of Livestock Commissioners. The public hearing on the proposed rulemaking will run concurrently with a public meeting of the Advisory Board of Livestock Commissioners.

Initial Regulatory Flexibility Analysis:

12)

- Types of small businesses, small municipalities and not-for-profit of conforting and selected Auction markes, makering centers, livestock designs, politry produces, and shaugher buyers. F
- <u>Asporting, bookkesping or other procedures required for compliance:</u>
 Three additional diseases have been added to the Reportable Diseases Section. Appropriate forms must accompany diseased animals. 릷
- No additional Types of professional skills necessary for compliance: skills are needed. a
- 13) Requiatory agenda on which this rulemaking was summarized: July 1996

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NOTICE OF PROPOSED AMENDMENTS

The full text of the Proposed Amendments begins on the next page:

NOTICE OF PROPOSED AMENDMENTS

(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS) SUBCHAPIER b: ANIMALS AND ANIMAL PRODUCTS DEPARTMENT OF AGRICULTURE TITLE 8: AGRICULTURE AND ANIMALS CHAPTER I:

DISEASED ANIMALS PART 35

Incorporation by Reference Section 85.5

Pruck Cleaning and Disinfection Reportable Diseases

Disposal of Sick, Diseased, or Crippied Animals at Stockyards Sale of Divestock Quarantined Because of Disease

Livestock for Immediate Slaughter Not to be Diverted En Route Identification Sar Tags for Divestock identification Tags Not to be Removed

Spthrax GCats

Scrapie in Sheep

Sheep Foot Rot (Repealed) Bluetongue 35.63

Scabies -- Additional Cattle Scables Cattle 85.70 35.75

Requirements on Cattle From Certain

Designated Areas Diseased Animals 35.85

Copy of Realth Certificate Shall Be Furnished Requests for Permits Consignments 85.100

to Stockyards, Recognized Slaughtering Centers, Obligation of Transportation Company and Truck Operators Marketing Centers

Additional Requirements on Cattle From Designated States Salmonetta enteritidis serotype enteritidis Cervidae 85.120

Vesicular Stomatitis

NUTHORITY: implementing and authorized by the Illinois Diseased Animals Act [51] LLGS 0); Section 6 of the Illinois Bovine Bruselless Eradication Act [510 LLGS 106]; Livestock Auction Market Law (125 LLGS 640); and Equine Infections America Correct Act [510 LLGS 65].

effective .annavr 27. 1972; filed bugust 19, 1975, effective August 19, 1975; filed December 29, 1976, effective .annavr 9, 1977, mended at 2 Ill. Reg. 34 Pt 12, effective .buse 15, 1978, mended at 3 Ill. Reg. 33, p. 337, p. 337, p. 337, p. 347, effective .buse 15, 1978, mended at 3 Ill. Reg. 33, p. 337, p. 337, p. 347, effective .buse 15, 1978, mended at 3 Ill. Reg. 33, p. 337, SOURCE: Regulations Relating to Diseased Animals, filed January 17, 1972,

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NOTICE OF PROPOSED AMENDMENTS DEPARMTENT OF AGRICULTURE

28. 1931 Amended 12 [11] Ang. 1955, effective poppl 13. 1931 Amended 12 [11] Ang. 1489, effective Amend 22. 1955, manufed 12 [11] Ang. 1489, effective Amend 22. 1955, manufed 12 [11] Ang. 1965, amended 12 [12] Ang. 1965, amended 12 [12] Ang. 1965, amended 12 [13] Ang. 1965, amended 13 [13] August 17, 1979; amended at 5 III. Reg. 724, effective January 2, 1981; codified at 5 III. Reg. 10456; amended at 7 III. Reg. 1746, effective January 150 doyer nameded at 18 111, Reg. 1850, effective Lanuary 24, 1994; emergency manndame and 19 111, Reg. 19734, effective Duty 10, 1995, 1998, an axiama of 130 days; emergency expired December 27, 1999; amended at 20 111, Reg. 176. effective January 1, 1996; emergency amendment at 20 Ill. Reg. 6581, effective April 30, 1996, for a maximum of 150 days; amended at 20 Ill. Reg.

Section 85.5 Definitions

, effective

Definitions for the rules of this Part are located in the general definitions Section (8 III. Adm. Code 20.1) and apply to the rules of this Part. The following definitions shall also apply to the rules of this Part: "Accredited veterinarian" means a veterinarian who is licensed by the state in which he practices, is approved by the animal health United Department of Agriculture (3 CFR 163, 161 and 162; 1996 1995). authority of that state, and is accredited by the

slaughtering center" means an establishment where slaughtering is conducted under Federal or State inspection.

Red. Source: Amended at

Section 85.10 Reportable Diseases

one following diseases shall be reported immediately to the Department: cases of a) Suspected

avian influenza anthrax

orucellosis -- sovine, swine, equine, and caprine equine wiral encephalitides contagious equine metricis equine infectious anemia fowl typhoid pluetongue

nog cholera

NOTICE OF PROPOSED AMENDMENTS

paratuberculosis - (Johne's disease) 4ycoplasma gallisepticum -- turkeys dycoplasma synoviae -- turkeys infectious laryngotracheitis paramyxovirus infection Newcastle disease piroplasmosis

saimonella enteritidis -- poultry psittacosis - (ornithosis) pullorum disease

pseudorapies -- (Aujeszky's disease)

salmonella typhimurium -- poultry scables -- cattle and sheep tuberculosis -- bovine

any contagious or infectious disease presently considered as "exotic", i.e., not known to exist in the United States vesicular conditions of any type

Any herd owner, flock cwner, veterinarian or other person having the above diseases immediately after discovery, or who is responsible knowledge of the disease, failing to report a suspect case of any of for the spread of the disease, shall be subject to penalty as provided by law.

Reports of any of the above diseases shall be made to the Department, telephone 217/782-4344. 0

effective Reg. 20 at (Source: Amended

Section 85.15 Truck Cleaning and Disinfection

be cleaned and disinfected immediately after the diseased livestock is unloaded Any truck or other conveyance in which diseased livestock is transported shall as prescribed in the Code of Federal Regulations (9 CFR 71.7, 71.10 - 71.12;

Reg. 23 a t (Scurce: Amended

Section 85.40 Livestock for Immediate Slaughter Not to be Diverted En Route

All livestock consigned for slaughter within 10 days, from public stockyards, ilvestock are gathered at requiar intervals for immediate slaughter vithin illinois, snall or accompanied by slaughter permit and slaughtered within 10 days. All such animals shall be delivered direct to a recognized slaughtering auction market, marketing center, Livestock dealer or any other point where center and shall not be diverted en route.

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NOTICE OF PROPOSED AMENDMENTS

effective 20 ag th (Source: Amended

Section 85.50 Goats

- When a serologic test for brucellosis in goars discloses one or more reactors, the entire herd shall be placed under quarantine and the reactor(s) immediately isolated from the remainder of the nerd, reactor cagged and branded, and slaugntered. After removal of the seactor(s), the entire herd shall be retested at time intervals and the number of times as requested by the Department. The length of the quarantine period shall be determined by the a) Part A -- Brucellosis in Goats Department.
- All brucellosis agglutination plood tests of goats snall be made Part B -- Requirements for Establishing and Maintaining Certified at an approved laboratory. <u>0</u>
- Certified brucellosis-free herd certificates, which shall be Brucellosis-Free Herds of Goats 1) General Requirements
- February 2, 1393, and June 16, 1394, published by the United valid for one year, unless revoked in accordance with the Association (P.O. Box K227, Suite 114, 1610 Porest Avenue, certificate revocation in the Brucellosis Eradication Uniform Methods and Rules, effective May 5, 1992, amended States Department of Agriculture, Animal and Plant Health Inspection Service, snall be issued by the Department. procedures as adopted by the United States Animal Richmond, Tirginia 23228) and as sutlined for
- Certificates shall be extended for a period of one year upon requirements for maintenance of a certified brucellosis-free evidence of a negative herd retest and compilance with 9
- months of age and over and scall consist of at least 5 A "herd" shall be considered as including all animals
- All animals in the herd shall be identified by registration animais. â
 - All official plood tests of goats shall be conducted at number, individual tartoo, or ear cag. approved laboratory. 6
- Herds shail se certified upon completion of 2 consecutive To Qualify for Certification æ 5
- negative complete nerd tests not less than 10 nor more than 14 months apart.
 - Animals classified as suspects, in herds that are otherwise negative, must be recested at 30-day intervals until their status has been determined. If the suspects are sold or otherwise disposed of before their status (B

NOTICE OF PROPOSED AMENDMENTS

determined, the entire herd must be retested to achieve a negative herd status. If the suspects are classified as reactors upon retest, the herd is considered to be infected. goats may only be consigned directly to a slaughtering facility and must be accompanied by a for Movement, VS Form 1-27".

If on the initial herd test, or as a result of any retests of animals in the herd, one or more reactors are disclosed, the entire nerd shail be placed under quarantine and the herd, reactor tagged and branded, and slaughtered. After renoval of the reactor(s), the entire herd snall be retested at time intervals and the number of times as requested by the Department. The length of the quarantine period shall be reactor(s) immediately isolated from the remainder

A negative nerd rest conducted within 60 days prior to the determined by the Department. To Qualify for Recentification

12 months from the anniversary the annual test for recertification is conducted within Upon receipt of a negative herd test, the Department shall 60 days following the anniversary date and all the animals extend certification for date. 9

anniversary date is required for continuous certification.

negative, certification will be restored and the certification period will be 12 months from the anniversary the annual test for recertification is not conducted are

is canceiled and recertification requirements are then the within 60 days following the anniversary date, certification same as for initial certification.

If suspects or reactors are disclosed on a recertification

test, their disposition and herd retest requirements shall be the same as specified in Section 85.50(b)(2)(B) and (C). All official blood tests of goats shall be conducted at an (i

approved laboratory.

Additions to Certified Brucellosis-Free Heads 7

Animals originating from other certified herds may be added Animals originating from herds not certified may be added; provided, they are negative to an official brucellosis test within 50 days prior to addition, are held in isolation from other members of the certified herd for a minimum period of 30 days and are rerested and negative at the end without tests.

Purchased additions shall not receive new herd status for the herd for at least 30 days and are included in a complete sale or exhibition purposes until they have been members herd recest.

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WOTICE OF PROPOSED AMENDMENTS DEPARMTENT OF AGRICULTURE

C -- Requirements for Establishing and Maintaining Accredited Tuberculosis-Free Herds of Goats General Requirements c) Part

be valid for one year, unless revoked in accordance with the procedures outlined in the Bovine Tuberculosis Eradication Uniform Methods and Rules, effective Sebruary 3, 1989, Part III B, Accredited Herd Plan for Dairy Goats, shall be issued Accredited tuberculosis-free herd certificates, which shall by the Department (9 CFR 77.12 t 1996 1995).

A "herd" snall be considered as including all animals 12 Certificates may be extended for a period of one year upon accredited evidence of a negative herd retest and compliance with for maintenance tuberculosis-free herd. requirements 3

months of age and over and snail consist of at least animais. â

All animals in the herd shall be identified by registration number, individual tattoo, or ear tag.

accredited vererinarian or a veterinarian in the employ of the Illinois Department of Agriculture or the United States All official tuberculin tests shall be conducted by Department of Agriculture. To Qualify for Accreditation ũ

negative complete herd tests not less than 10 nor more than Herds shall be accredited upon completion of 2 consecutive I4 months apart.

If a reaction to the tuberculin test is disclosed, the veterinarian reading the test shall, within 24 hours, notify arrangements for a veterinarian trained in conducting the days of the original injection. If the animal is identified as a reactor as a result of the comparative-cervical test, personnel from either the Illinois Department of Agriculture the United States Department of Agriculture will issue a quarantine, supervise disposition of animals, and conduct comparative-cervical test to retest the animal within call and collect telephone additional tests on members of the herd. the Degartment by or

A negative herd test conducted within 60 days prior to the To Qualify Sor Reaccreditation

extend accreditation for 12 months from the anniversary anniversary date is required for continuous accreditation. Upon receipt of a negative nerd test, the Department shall date.

the annual test for reaccreditation is conducted within certification will be restored and the accreditation period will be 12 months If the annual test for reaccreditation is not conducted days following the anniversary date, from the anniversary date. 9

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within 60 days following the anniversary date, accreditation is cancelled and reaccreditation requirements are tnen the same as for initial accreditation.

If a reaction to the tuberculin test is disclosed at the time of the reaccreditation test, the procedure outlined in Additions to Accredited Tuberculosis-Free Herds Section 85.50(b)(2)(B) shall be followed.

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A) Animais originating from other accredited herds may be added Animals originating from herds not accredited may be added; without tests. â

tuberculosis within 60 days prior to addition and are retested and negative to an official tuberculin test not sooner than 60 days from the date the previous test was test for they are negative to an official provided,

Purchased additions shall not receive new herd status for sale or exhibition purposes until they have been members of the herd for at least 60 days and are included in a complete herd renest. ΰ

Part D - Otner Contagious Diseases. All goats, including dairy goats, will not be allowed to be exhibited in Illinois and must be removed immediately from one exhibition area if showing signs of any of the foilowing conditions: ÷

Active lesions of ringworm with resulting loss of hair. Caseous Lympnadenitis as evidenced by draining abscesses. Lesions of contagious ecthyma (sore mouth).

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Section 85.75 Cattle Scabies -- Additional Requirements on Cattle from Certain š

of the Department shall have authority to specify the designated areas from which movement of cattle into except those consigned direct to slaughter, may enter Illinois from certain designated areas determined to have high incidence of cattle A prior permit must be obtained from the Department before cattle, Illinois will be restricted. scables. The Director Designated Areas

Cattle from such areas, except those consigned to a recognized exhibition and moved from Illinois following exhibition (county and State fairs, other State-supported exhibitions, and breed registry exhibitions); dairy cattle; or those consigned direct to slaughter, shall be dipped for cattle scaples within 10 days prior to entry or treated in accordance with the procedures as set forth in 9 CFR 73.12 (1996 ±995).

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of approved acaricide and water or other method of treatment approved by the Each such animal snall be treated with a solution

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United States Department of Agriculture (9 CFR 73,10 and 73,12; 1996 NOTICE OF PROPOSED AMENDMENTS

Reg. 111. 20 45 Source: Amended

Section 85.100 Consignments to Stockyards, Recognized Slaughtering Centers, or Marketing Centers

- a) All out-of-state livestock consigned to a public stockyard, recognized slaughtering center, or marketing center shall be accompanied from point of origin oy a permit issued by the Department, or by a designating the name of the owner or shipper, place of origin, public or marketing center of destination, date of shipment, and number and description of livestock issued by the owner or shipper of the livestock, stockyard, recognized slaughtering center, and shail not be directed en coute. constanment
- A copy of the consignment shall be held by the public stockyard, recognized slaughtering center, or marketing center for a period of not less than 6 months for inspection by legally authorized officials of the United States Department of Agriculture, and the Illinois Department of Agriculture, and other officials having police powers. [225 ILCS 640/1] â

effective Reg. 50 at (Source: Amended

Section 85.105 Obligation of Transportation Company and Truck Operators

- Illinois or consigned to points within the State of Illinois, except to-pubite-stockyards; every person, transportation company, or truck operator snall require that a certificate of health OR permit, or any other forms required to accompany animals or poultry as required in the regulations of the Department, be furnished them to be attached to Such person, transportation company, or truck operator shall have the certificate of health OR permit in his or its possession at all times its destination, and available for inspection upon lemand. Such consignment small snow date, names of consignor and consignee, number Before accepting any livestock or dogs for shipment into the State of the consignment and accompany the livestock or dog to its destination. from the loading of such livestock to the delivery of the livestock at and description of animals, and shall accompany all animals consigned to public stockyards. (a)
 - No livestock shall be diverted on route within the State or consigned to points out of the State. When severe weather conditions, disquees other extenuating circumstances axise and/or the weitare of the livestock being shipped warrants such, a special permit for diversion for any reason of slaughter plants, stockyards or auction markets, ã

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enroute shall be granted by the Department.

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Section 85.115 Salmonella enteritidis serotype enteritidis

- The United States Department of Agriculture has declared Salmonella pertaining to Salmonella enteritidis serotype enteritidis enteritidis serotype enteritidis as a communicable disease in poultry. located at 9 CFR 92.30-92.36+ [1996] ±995 are hereby adopted for the State of Illinois. The flocks affected by these regulations are those identified in 9 CFR 82.31. The rules a)
- be quarantined. The quarantine snall remain in effect intil the floor has seen depopulated and premises disinfected as prescribed in 9 OTM 82.32(c) or the entire floor is tested negative All flocks found to be infected with Salmonella enteritidis serotype for Salmonella enteriticis serotype enteritidis in accordance with the enteritidis snall çq
- Interstate account of poultry, eggs, equipment and manure form Mindected or sear flocks and libe as specified in 9 CPR 32.33, Interacted movement equirements shall be the same as interstate provisions of 9 CFR 32.12(e). 0
 - If a flock is desentined to be an infected flock as defined in 9 GPR 8212(c)) the Department shall pay indefinity if State dunds are assalable and all of the following conflicing are met: movement requirements. ê
 - The infected flock is implicated through epidemiological evidence
- The flock owner voluntarily agrees to depopulate with appropriate in a numan disease outbreak; State indemnity;
- The entirs flock which is to be depopulated shall have originated from a flock that is classified "U.S. S. Enteriridis" inder the National Poultry Improvement Plan and Auxiliary Provisions (9 CFR 145 and 14717 1396 1995);
- must have been feeding the infected flock in Improvement Plan and Auxiliary Provisions (9 CFR 145.23(d)); 7 of the Mational accordance with the provisions DWner flock
- 82.33(b). Proof of 412% will be reported to the Department by the meat and poultry inspector of the slaughtering establishment 1996 4996); The indecred flick shall be slaughtered in accordance with 9 where one undecred poultry is slaughtered;
- Replacement poutly shall be from flocks that are classified "U.S. 3. Streaming under the National Poutry Improvement Plan The premises has been disinfected in accordance with 3 CFR 82.32(c); and (9
- and Auxiliary Provisions.
 The amount of indemnity paid, based on the availability of State (e

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NOTICE OF PROPOSED AMENDMENTS DEPARMTENT OF AGRICULTURE

funds, shall be 75 percent of the fair market value and the health thereof at the time of slaughter, minus the salvage value. The following conditions shall be considered when determining the fair market value and health of the infected flock: Initial purchase price of each bird;

Age of the bird and its egg production capabilities or value for

Feed and veterinary medical production costs as justified by documentation by the flock owner in the form of sales receipts producing progeny; and

Department and the infected flock owner must agree upon the value of the poultry destroyed, and in the case as agreement cannot be made, indemnity will not be paid for the flock. and veterinary bills. G

effective Reg. 111. 20 at (Source: Amended

Section 85.125 Ratites

- All ratites (i.e. emus, kiwis, cassowaries, rheas, ostriches) entering Illinois shall comply with the following: (a)
- 1) Be negative to a test for Avian influenza within 10 days prior to Be accompanied by a Certificate of Veterinary Inspection issued importation;
- within the past 30 days by an accredited veterinarian of the state of origin or a veterinarian in the employ of the United States Department of Agriculture indicating that the ratites are free from visible evidence of any contagious, infectious, or
 - Be permanently identified by means of a leg band, wing band, neck communicable disease or exposure thereto; band or microchip; and 3)
- Be accompanied by a permit issued by the Department. The permit number shall be issued to the veterinarian issuing the for the permit snall furnish the following Certificate of Veterinary Inspection or the consignor of A) Applicant 7
- Name and address of Cilinois destination; Name and address of consignor; and information to the Department: Number of satites in snipment.
- Violation of the Act or any rule of this Part; and disease which might endanger Grounds for refusal to issue a permit are: Presence of a 9
- isolated from other ratites or poultry on the premises for a minimum of 14 days. Ratites imported into illinois must be cept illinois poultry industry.
- effective Reg. t) (Source: Amended

NOTICE OF PROPOSED AMENDMENTS DEPARMTENT OF AGRICULTURE

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NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF AGRICULTURE

- Heading of the Part: Equine Infectious Anemia Control
 - Code Citation: 8 Ill. Adm. Code 116
- Proposed Action: Amendment Section Numbers: 116.30
- Illinois Equine Infectious Anemia Control Act [510 Repealed ILCS 65] (see P.A. 89-463). Statutory Authority:

7

- A Complete Description of the Subjects and Issues Involved:
- established for euthanizing or snipping equine infecticus anemia reactors following the confirmatory test. Diverting reactors en route to slaughter will be prohibited, if the reactor is going to be quarantined, a fifteen day time limit for having quarantine facilities in place will be Amendments to Section 116.30 include: A time limit of ten days will be established.
- the equine family being sold, leased, traded or loaned within the State to have a negative test for equine infectious anemia prior to sale. Section 116.40 will be repealed as this statutory amendment will negate the A provision in P.A. 89-463, effective 1/1/97, will require all members of testing of slaughter horses at market.
- Will this proposed rule replace an amergency rule in effect? No 6
- Does this rulemaking contain an automatic regeal date?
- Does this proposed amendment contain incorporations by reference?

6

o_N

- Statement of Statewide Policy Objectives: Rule does not affect units of Are there any other proposed amendments pending on this Part? local governments.
- addition to the written comment period, a public hearing on its proposed amendments will be that in Wendersday, August 21, 1396 at 1310 a.s., Department of Agriculture Building, 3th & Sangamon, Start Bargatunds, Springfield, illunois, Please mail written comments on the proposed Line. Place and Manner in which interested persons may comment in nis SISSESSED ALBASKIRE. A SHAUKA VICTOR COMMENTE PERSON THIS DESIGN THE DAY THE NOTICE OF LIGHTAKING SPEAKES IN THE FILLINOUS REPRESEY. rulemaking to the attention of:

Department of Agriculture Debbie Wakefield

NOTICE OF PROPOSED AMENEMENTS

(217) 785-5713; facsimile (217) 785-4505 Springfield, IL 62794-9281 State Fairgrounds P.O. Box 19281

received will be fuily considered by the acency and the Advisory Board of order for mailed comments to be available for consideration at the public hearing, please mail no later than August 15, 1996. All Livestock Commissioners. The public hearing on the proposed rulemaking will run concurrently with a public meeting of the Advisory Board of Livestock Commissioners.

- Initial Regulatory Flexibility Analysis: 12)
- Types of small businesses, small municipalities and not-for-profit corporations affected: Horse owners and horse auction markets. (¥
- Reporting, hookkeeping or other procedures required for compliance; Time frames concerning reactors are established in Section 116.30.
- additional S. Types of professional skills necessary for compilance: professional skills are required.
- 13) Regulatory agenda on which this culemaking was summarized: July 1996

The full text of the Proposed Amendments begins on the next page:

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DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS) SUBCHAPTER D: ANIMALS 'VD ANIMAL PRODUCTS DEPARTMENT OF AGRICULTURE TITLE 8: AGRICULTURE AND ANIMALS CHAPTER I:

PART 116

SQUINE INFECTIOUS ANEMIA CONTROL

Testing of Illinois Equidae Quarantining of Reactors Retesting of Reactors Section 116.30 116.10 116.20

Movement of Equidae Through Livestock Sales and Livestock Auction

AUTHORITY: Implementing and authorized by the Illinois Equine Infectious Anemia Control Act (510 ILCS 65).

Falsification of Records

Markets (Repealed)

116.40 116.50 SOURCE: Adopted at 18 Ill. Reg. 1861, effective January 24, 1994; amended at Reg. 290, effective January 1, 1996; amended at 20

Section 116.30 Quarantining of Reactors

, effective

If the Owner of a known reactor does not wish to have the reactor euthanized or shipped to slaughter, the animal must be quarantined for life. The reactor must be kept at all times in an insect proof stall and cannot be removed from oe in place within 15 days after the confirmatory test and be approved by the Department and will be inspected on a regular basis ower wate that the feators is maintended since distances and the ceators to the confirmation that is elected to subspeed it must be done within 10 days after the confirmation test, and reactors snipped to slaughter cannot be diverted an oute. slaughter. this enclosure, except to be euthanized or shipped to to make sure that the reactor is maintained inder quarantine. quarantine facilities must

effective Reg. 20 at (Source: Amended

Livestock Through Livestock Sales and Section 116.40 Movement of Equidae Auction Markets (Repealed) Aを作…の内はなるなの……あっていますではなないなか、のなどのは、ちゃ・じゃくからならのストロロロルとののできななくなか。つか、このをとのなってのは下のの を大小を大かしかを入のしかが、のだかだのだ!を大小を大小とのなが……もだか!」だかだかがた!」ながたもだが!!の力のかかりも別なが!!もだれなかな!」なのな GONG**資品を送し着ウヤーを開放を送を集けることをはいませのことをは、まなで、まなな、このはないとのは、また、まないをしまったを与えないと、このはで のは「日本は大き」というは、このようのはな」をおりのはなり、「ない」となってはない。「あいのはない」となっているとのながらしているというなななし」のというななななられるとしているとのないです。 可要提供者中国自一也会一位是一场的原因一张大七位一座——而是的由一个内容一点的自作的数十分的数十分的数十分的数十分的数十分的数十分的一个分子,是一个内部,是一个

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DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

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NOTICE OF PROPOSED AMENDMENTS

- Heading of the Part: Illinois Pseudorabies Control Act
- Code Citation: 8 Ill. Adm. Code 115 2)

Proposed Action	Amendment	Amendment	Repealed	Tenda	Amonda on the
Section Numbers:		115.40	9.9	115.80	-
5					

- Statutory Authority: Illinois Pseudorabies Control Act (510 ILCS 90) 7
- A Complete Description of the Subjects and Issues Involved: Definitions will be proposed in Section 115.10 for official random-sample tests that are used in conjunction with nerd qualification. 2

requirements Pseudorables pseudorables testing requirements differed slightly from the state requirements. Guidelines for off-site facilities are also being proposed for both herd "accanated herds. for Eradication for establishing and maintaining qualified Sections 115.40 and 115.50 will be revised to reflect under the State-Federal-Industry Program Standards and qualified-negative gene-altered negative

Section 115.60 is being repealed as no one has ever qualified under this plan in the State, and with illinois achieving Stage III pseudorables status, monitoring of feeder swine herds is no longer necessary.

Section 115.80 will be amended to adopt the current edition of the Program Standards, and Section 115.100 will be amended to adopt the current edition of the Code of Federal Regulations.

- Will this proposed rule replace an emergency rule in effect?: No
- Does this proposed amendment contain incorporations by reference? Does this rulemaking contain an automatic repeal date? No

502

- Are there any other proposed amendments pending on this Part? 6
- σţ Statement of Statewide Policy Objectives: Rule does not affect units local governments.
- Time, Place and Market in which interested pessons may comment on this ECOPOSED LINEARIEST A 15-day witten comment parted will begin on the table the notice of tutenating appears in the Illinois Register. In

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addition to the written comment period, a public hearing on the proposed amendments will be held on August 21, 1996 at 10:00 a.m., Department of Illinois. Please mail written comments on the proposed rulemaking to the Agriculture Building, 8th & Sangamon, State Fairgrounds, Springfleid, attention of:

217/785-5713; facsimile 217/785-4505 State Fairgrounds, P.O. Box 19281 Springfield, IL 62794-9281 Department of Agriculture Debbie Wakefleld

public hearing, please mail no later than August 15, 1996. All comments received will be fully considered by the agency and the Advisory Board of consideration at the in order for mailed comments to be available for Livestock Commissioners. The public hearing on the proposed rulemaxing will run concurrently with a public meeting of the advisory Board of Livestock Commissioners.

- Initial Regulatory Flexibility Analysis:
- Types of small businesses, small municipalities and not-for-profile corporations affected: Swine cwners. 8
- Reporting, bookkespirg or other procedures required for compilance: No additional procedures are required. 9

No additional

13) Requiatory agenda on which this rulemaking was summarized: July 1996 professional skills are required.

Types of professional skills necessary for compliance:

the full text of the Proposed Amendments begins on the next page:

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DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS) SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS DEPARTMENT OF AGRICULTURE TITLE 8: AGRICULTURE AND ANIMALS CHAPTER I:

ILLINOIS PSEUDORABIES CONTROL ACT PART 115

Incorporation by Reference Pseudorables Quarantines 115.15 115.20 115.30

Section

Requirements for Qualified Reudorables Negative, Negative Gene-Altered Vaccinated and Feeder Swine Resudorables Monitored Herds Requirements for Establishing and Maintaining Qualified Pseudorables Pseudorabies Negative Herds 115.40 115.50

Qualified-Negative Gene-Altered Vaccinated 12NV) Swine Herds Maintaining for Establishing and Requirements

Feeder Pseudorables Test Requirements for Intrastate Movement Maintaining Requirements for Establishing and Pseudorabies Monitored Herds Receased)

Breeding Animals Consigned to Slaughter Feeder Swine 115.90

Pseudorables Testing of Feeder Swine

115.80

AUTHORITY: Implementing and author sed by the Illinois Pseudorables Control Act [510 ILCS 901.

13 III. Reg. 2655, effective March 12, 1989; amended at 14 III. Reg. 1935, effective January 19, 1990 manched at 14 III. Reg. 1556, effective March 21, 1990 manched at 14 III. Reg. 15218, effective September 10, 1990, amended at 14 III. Reg. 15218, effective September 10, III. 1990; amended at 11 III. Reg. 1016; versence are the standard at 17 III. Reg. 1178; vefective July 8, 1992; emergence amended at 17 III. Till. Adopted at 12 Ill. Reg. 3394, effective January 22, 1988; amended at 5906, effective March 17, 1993, for a maximum of 150 days; amended at 17 III. Reg. 14006, effective August 16, 1993; amended at 20 III. Reg. 1542, effective 20 Ill. Reg. January 12, 1996; amended at SOURCE:

Section 115.10 Definitions

The definitions for this Part shall be as set forth in the general definitions Section (8 Ill. Adm. Code 20.1). Also, the following definitions shall apply to this Part:

"Official random-sample test (95/5)" means a sampling procedure utilizing official pseudorabies serologic tests that provide a 95 'Act" means the Illinois Pseudorables Control Act [510 ILCS 90].

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WOTICE OF PROPOSED AMENDMENTS

vercent probability of detecting infection in a herd in which a least 5 percent of the swine are seropositive for pseudorables. Sach separated group of swine on an individual premises must be considered a separate herd and sampled as follows:

less than 100 head - test 15

100-200 head - test 51 201-999 head - test 57 1000 and over - test 59

means a sampling procedure utilizing pseudorables seroingic tests that provide a 35 percent segregated group of swine on an individual premises must be considered detecting infection in a herd in which at least pseudorables. for percent of the swine are seropositive "Official random-sample test (95/10)" a separate herd and sampled as follows: probability of

Less than 100 head - test 25

1000 and cyer - test 29 100-200 head - sest 27 201-999 head - test 28

"Official test" or "test" means any serologic test for the detection as approved the United States Department of Agriculture (9 CTR 85.1, 19961995) of pseudorables (serum neutralization (SN), for example) and conducted in an approved laboratory.

Ill. Red. 20 a Source: Amended

for Establishing and Maintaining Qualified

Initial Requirements: a)

115.40 Requirements

Section

Pseudorabies Negative Herds

- Herds which are not under quarantine for pseudorables shall be initially qualified upon completion of one negative herd test of progeny equal to 20 percent of the breeding swine population of the herd. Progeny shall be sandemly selected from the swine all breeding swine 6 months of age and over plus a number
 - premises for at least 50 98 days OR shall have originated direct of the herd shall have been between 4 and 5 months of age. A minimum of 90 percent of 5)
- swine are disclosed in a nerd in the process of becoming a qualified pseudorables negative herd, the positive animals shall be immediately isolated from the remainder of the herd and be disposed of for slaughter OR be maintained on another premises separate and apart from that where the negative swine from another qualified pseudorables negative herd. If positive

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are maintained. The herd shall then be recognized as a qualified negative herd when it has compiled with the A qualified pseudorables negative herd may be established without a complete herd test if all the swine originate from gualified pseudorables negative nerds and, within 10 days after arrival, all swine in the initial shipment (up to 50 animals) are tested and Cound negative. only alicationer-first-gradicativ-resoric tribator ●光板10~~のや~~10~の町だりかけおり~のかが~しかだり~の位かのかれ~から~しかりが10円板の~をとれたなりだらのを打ち込む provisions of Section 115.40(a)(1), pseudorabies 7

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toner-serunds

over 6 nonths of age and over and a number of offspring to 6 mins of age (coreco, or he age of press as the overally hed equal to 6 age (coreco, or the opening and conding all same so eared eagery 90 to 105 days and conding all same so eared regarde, or og Qualified pseudorables negative herd status is maintained by subjecting all swine over 6 months of age in the nerd to an official pseudorables serblogic rest at least once each year and a test of the offsocing 4 to 6 months of age located on the same otemises squal to 2 percent of the breeding animals in the serd 198-ef-the-swine-swer-5-menths-sf-age agon month and finding 25 or ±8 ? percent plus progeny of the swine on each retests are not conducted when due, the requalification Joon approval from the Director, status may also be maintained on the population has be candom, and the test protocol in the nerd must be part of the approval. Frogeny must be selected at random all swine so tested negative). If the members of the qualified If the 85-or-se-mentent requirements shall then be the same as for initial qualification. the basis of a monthly negative official random sample test (95/5) in each separate population of breeding swine on a premises, and a monthly test of 50 offspring 4 to 6 months of age herd. Sampling this shall be accomplished by sesting 20 percent 85% of esting 7 percent of all orseding swine 6 nontus of age or herd are maintained on more than one premises, 20 located on the same premises as the oreeding h premises shall be retested as required. Maintenance Requirements: Drogeny

a test for any other purpose, the positive same shall be disposed of the hard and be disposed of for slaughter TR maintenined on another presumes If positive skine are itsclosed on a requalification set, or on Sucn herd may again be recognized as a qualified pseudorables negative nerd upon completion of negative herd test of all swine in the herd 6 months of age over and an official random-sample (95/10) test of progeny separate and apart from that where the negative maintained. The infected premises or portions thereof from ail groups on one ocemises. cleaned and disinfected.

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a) of age conducted not less than 30 days after the last infected swine have been removed and the premises cleaned and Such -- nerd-test-snakk-inckude-akk-breeding-swine-6 menths-de-age-and-evendisinfected.

Swine originating in another qualified pseudorables negative herd may enter illinois qualified pseudorables negative herd without test.

Additions:

originating from other than a qualified pseudorables negative herd herd shall be negative to an official test for pseudorapies conducted not more than 30 days prior to entry into the herd, snail be held in isolation from the other members of official test for pseudorables not less than 30 nor more than 60 the qualified herd, and shall re retested and negative to

Members of a qualified pseudorabies negative herd which are with swine from non-qualified pseudorables negative herds shall be held in isolation on the nerd premises for a minimum of 30 days after return AND small be tested and negative to an official test for pseudorables before being reunited with other members of the commingled otherwise days following entry. or are qualified herd. exhibited 33

premises in inich no adult breeding swine are maintained. Estabilsping and maintaining a qualified pseudorables negative growout 히

facility by a monthly negative random sample test (95/5) beginning within 30 days after the establishment of the nerd, that in-all in/all-out units, one test of 50 nead is pseudorables negative nerd to elther a growout or sales point, Pseudorables negative status may be attained in the growout a pseudorables test is not required.

required of each group. If the breeding herd, growout and sales regative status is attained in the sales point herd head selected at random, whichever is less. that in all-in,all-out units, one test of 50 nead is of each group. Sach segregated group of swine on an by a negative official pseudorables test of the entire initial swine selected at point nerd are all coated in Illinois, testing is not required, Pseudocables negative status may be maintained by candom from those that have been in the herd at least ndividual premises must be considered a separate herd. negative official pseudorables test Pseudorables

Reg. 45 Amended (Source:

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Initial Requirements:

- Pseudorables qualified-negative gene-altered vaccinated (QNV) herd status may be granted if (1) no swine in the herd are snown to be infected with or exposed to pseudorables and (2) the only swine vaccinated for pseudorables have been vaccinated with a Percent of the breading swine boundation of the herd must be subjected to an approved lifferential pseudorables test and all swine between 4 and 6 months of age. Herds-weigh-ate--not--inder ではな」をでは一切のこのだけだらだ「中」を行いたのしただかなかないの「おりました」なったののか「でものだ」の人々なななからだ」」を持つ Department-of-Agreeukture-and-adminitatored-under-nae--augenvision のはならなかートルのでは、「中心できない」では、「中心できないできない」というないです。「中心です」となっているないできないできないできない。 申刊の利用のおからしかのからしたはのかのおいのが、まましまりのおりを対しませるが、これのは、これののできないかには、ましかないまではなるのできない。 eft-rest-rendatedatedates de transportant de transportant de version de version en de transportant de Sinjie official gene-altered pseudorables vaccine. All swi over 6 months of age plus a number of the progeny equal to swine must be negative. Progency snail be randomly selected 下の一点とのできませんないのというのでとくののとしてあるのとはなるとのというかないのになっているのというとしているのとなっているとので
- at least 50 99 days OR originate directly from a qualified pseudorables negative swine herd or from another QNV A minimum of 90 percent of the herd shall have been on pseudorabres-negative-gase-sittered-yaccinated nerd. io. Dremises. 2)
- If positive swine are disclosed in a herd in the process of becoming a \overline{QNV} pseudoreties—negative—gene-witered—vectimeted herd, the positive swine shall be immediately isolated from the remainder of the nerd and may be retested at the owner's expense special laboratory test designated to determine vaccination tilters from field exposure. If the swine are determined to be positive only as a result of vaccination tirers, separate and apart from that where the negative swine are The premises shall be cleaned and disinfected the herd shall onen be granted QNV pseudorebies -- negative If the swine are determined be infected with field wirds, the positive swine shall be ONV pseudorabies -- negative - yene - sitered - vaccinated herd status when it has complied with the provisions of subsection The nerd shall then disposed of for slaughter OR be maintained on another vaccination titers from field exposure. following semoval of the positive swine. gene-aktered-vaceinated herd status. maintained. the sec granted

b) Maintenance Requirements:

QNV Pseudersches-negstave-spene-schoesed-vectus shall be maintained continuously by a negative recest of 20 25 percent of all breeding syme 6 months of age or older, and a number of offspring 4 to 6 months of age located on the same percent of

Maintaining

and

Establishing

Pseudorabies Qualified-Negative Gene-Altered Vaccinated (QNV) Swine Herds

115.50 Requirements

Section

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approval from the Director, status may also be maintained on the bean served on the provide to the status and the set (95/5) in sean served to the served of the served on the monthly rear of 50 offspring 4 to 6 months of age located on the as the breeding herd equal to 6 percent of the breeding animals in the herd the quarified-herd at approximately each 90 days (80-105 days) OR 7 percent of all breeding swine 6 months of ige or older, and a number of offspring 4 to 6 months of age ocated on the same premises as the breeding herd equal to 2 percent of the breeding animals in the herd #0-percent-of-the quatified-nerd at approximately each 30 days (25-35 days). Upon same premises as the preeding nerd. Sampling in the population the approval. Proceny must be selected at random from all groups the premises. Breeding-stock-in-the-nerd-6-menths-of--age--and 97847-1-13-1-8-13KHDet-1-44KBh-1-90-125-1784768H-0f-118-14KBbet-18-15breeding-nerd-on-the--date--of--the--naintenance--test--shall--se included -- in-the 98 -- or 38 -day test; The same animals shall not be retested for requalification purposes in any 12-month period, except during the first 12-month period following the initial qualification test. If the members of the qualified herd are maintained on more than one premises, 20 or 7 25-or-th percent plus progeny of the swine on each premises shall be retested as If the 20 or 7 25-3x-28 percent plus progency retests are not conducted when due, the requalification requirements shall then be the same as for initial qualification. must be random, and the test protocol in the nerd must be part required.

Progeny testing on multisite herds shall be as in subsection 115-40(d) of this Part Offspring-to-be-getained-in-a-pseudizables-negative--gene-abtered Offspring-to-be-getained-in-a-pseudizablesan -- official-test-for-pseudorabies-upon-reaching-19-months-of-age and--shakk--then--be--yacctnated--against--pseudorabies--with--an approved-vaccine-in-accordance-vith-subsection-(a)(i)--within-15 古

days-after-such-test-

2)37 If positive swine are disclosed on a maintenance test, or on a be disposed of for slaughter OR maintained on another premises test for any other purpose, <u>QNV</u> paeudorabies---negative swine shall be :mmediately isolated from the remainder of the laboratory test designated to determine vaccination titers from If the swine are determined to be positive only as a result of vaccination titer, the QNV pseudorabies-negatave Separate and apart from that whe e the negative swine are maintained. The premises shall be cleaned and disinfected following removal of the positive swine and a retest conducted in nerd and may be retested at owner's expense with the special Swine are determined to be infected with field virus, they shall be restored. gene-attered-vaccinated herd status will field exposure.

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this 30-day retest is negative, then all swine 16 weeks of age and over shall be retested again at the end of 30 days (60 days following removal of positive swine) and, if negative, ON pseudorablesonesative-gene-altered-wascinated herd status shall 30 days on all unvaccinated swine 16 weeks of age and over. be reinstated.

Additions: 0

- Swine from any qualified pseudorabies negative herd may enter an Illinois ONV pseudorantes-negative-gene-airered--vaccinated nerd test and shall be vaccinated in-accordance--with subsection-rattly within 30 days after of entry into the herd. without
- Illinois QNV pseuderndrades-negative-gene-ainesed--vacconated herd conducted within 60 days prior to entry from another Illinois herd and within 30 days prior to entry from another Illinois nerd paesdormares--negarive--gene-aktened-vaccinated heid may enter an upon evidence of a negative official test for pseudorables Pseudorables raccinated swine originating from another
- ONV pseudoracies-negative-gene-aitered-vaccinated nerd without a Unvaccinated swine originating from an Illinois QNV pseudoractes negative-gene-attered-vaccinated nerd may enter another Illinois pseudoracies test and shall be vaccinated nn-accondance-with abbaection-(a)this vituin 30 days <u>after</u> of enery into the nerd. and within 30 days prior to entry from another state. 3
 - Swine originating from other than an illinois gNV pseudorables negative-gene-sitered-yaccinated herd OR a qualified pseudorables pseudorables conducted within 30 60 days prior to entry into the herd from another Illinois herd and within 30 days prior to entry from another state. All such swine shall be held in isolation from the other members of the $\overline{\rm QNV}$ pseudorabies——negative gene-altered—vaccinated herd, and shall be retested and negative to an official test for pseudorables not less than 30 nor more than 60 days following entry. Swine shall then be vaccinated to negative nerd shall be negative to an official test accordance-wath-subsection-tajtty within 30 days after ÷
- from a QNV pseudorabies-negative-gene-aitered-vaccinated herd which are exhibited or are otherwise commingled with swine from any other herd shall be held in isolation on the herd premises for a minimum of 30 days after return AND snall be ested and negative to an official test for pseudorables before reunited with other members of the 2NV pseudersbies into the herd. Swine 2
- **であることのもからだけののなと「むもりをからな」のできないできないのからのなっちののなっちょうかとのなりからなりなりです。** のおお中午一日の一つののものは一日のは、10のはなかとくの一なな一つの形をひとなるとしてのなー方のすープロのははCOTHOをのの 4908-1466-1469-148-148-148-158-158-1486-1884-188814-14868-188-14860-14860-14860-14860-14860-14860-14860-14860-1 *からな一のはひのののこうの一十年十十十十十 49

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Sales: Pseudorables vaccinated swine originating from a Q

NOTICE OF PROPOSED AMENDMENTS

pseudorabies -- negative -- gene-altered -- vaceinated herd may be loaned, leased, traded, or sold for breeding purposes within Illinois; provided, the purchaser is informed that the swine are from a QNIV pseudorabies-negative-gene-altered-vactinated herd.

effective Reg. 20 94 Source: Amended

Section 115.60 Requirements for Establishing and Maintaining Feeder Swine Pseudorabies Monitored Herds (Repealed)

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- The--program--for--establishing--and--naintaintng--a-feeder-swine beand-andecred-wath-pseudorabies-
- Breecking-sarne-from-feecer--sarine--pseudorgbres--nontrored--herds 本のでは、中の一つでは、これでは、これでは、これでは、これでは、これではは、「「これのはならない」、「これのは、「「これのない」」、「これのできる。 ではないのではのこれをはなりのなりでは、そのことのできないできない。 こうない こうしゅう こうしゅう こうしゅう しゅうしゅう しゅうしゅう かんしゅう しゅう かんしゅう しゅうしゅう 4

Section-115-60(b)(2)-

- 上書からのおおおり 一切をひむない #
- のおけるだるかのかの「一小などのよりの目のおね」「このからオーニートのからから、「しょうのかっち」」「あるようないなかなのない。 日本なるのとは一一でなり第一一ではなるタイトを一一のはなりをおなしてよりなたのの・--の第一・一を命の内のドー・・のかたちの ÷
- の作「母母の一句のは・シャのロテーギルセガーガの・大きのの一七句のユーラーのコナガの上のコーケスのよいのましからし Herde-4arca-save--set--seen--under--under--ignatestam--for--pseudorabace Regative--herd-test-cf-30-peresht-of-stk-breeding-swine-12-nonens
- Herds-which-have-been-under-quarantine--for--pseudoracies--wethin the --preceding-k2-honthsy-but-are-not-presently-under-quarantiney ならられてもののおびとをなっていましてでしなられたとうなったない。 4
- 每天并由4的Q在一条的中,不可有有效,而有有的有关的是一种有效的现在分词的自由,可以有效的,可以是否的有效。 ●の11世代の11世のの118の411年か11日の時代のの間でも11日でも11日のもの1日のものは日からのは1人中のものはなりでも質問さ 在中国中的代表一位的一个电影的对象社会的程序,由于一个情况的任务了一次的一一对电影的影响的一个对象的一个可以一个现象的心理的形式 我也们也也明一好会都是有我的一句的一句也是不明明的意思的一切我们的第一一个可能是我们也是我们的心想——你们们一个可能的是什么 1858年1878年——中国国际中央中国的中国的中国的中国中央中国中央中国的一位上海一岛的南部的中国中央的一位的第一个中国中国中国 のだみをの−−のたりか好かのに−−のだい−−のおのだケーシのだか!別のいい−からの心の−のだが−のからからなったののこのものとなるなな。 电位子二下电位开关电子电影不起不断的位子电话是一班也——小说大句话电话——那么不大的小河的街———下午中心的有效的对方也是一个小时也 のだり! - 切り! - だりゃかを小れだりり! にりだけ! おかいおかめ - でかかれた かかれがだれらできるのなりをおればれ months-of-age-and-over-

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DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

months-of-age-and-over-conducted-not-tess-than-45-days--foltowing する日の女は上の中一の方面一小はなけーひのはなかなかっちがかのです

Peeder --- swine --- pseudorabies -- monitored -- nerd -- seatus -- snail -- be Maintenance-Requirements:

- maintained-continuousiy-by-s-menstive-perset-of-95-persent-ofhestd-approximately-sack-100-days---when-20-percess-of-ma-me-dasd-sa ちゅうりゅうしゅうけんしい 日日一山田子一山田子一山田子一日本村田一日本村田下下 コウトーウルートコウドロ山中山一のコールスの \$6003d | Petervil | Breecking | stoox | 12 | 126 | 361d | 6 | 301t | 36 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 105 | 10 ひずのなっしからしないのならなってのできない。 かっていかっているのからない こうなののはない はっしゅうない こうしょう しゅうしゅう サイトの中によりのは、これの中にはないなけるのではないないのできるとはないではないないできます。 かいかいしゅう 1988年は887~1988日1~1月1日 - 1912年1日 - のボーロの - 1 のの - 1 からからになる - 1 からない - 1 からない - 1 からない ないかい - 1 からない - 1 から drey-tase-requiriterents-for-reconting-recognition-re-insedent-red
- なが回るマーニが行っかたールのーーをあたなのにからはなるへーとが急たーーのできるーールの「かった」というにもののののーースかかが 作用の第一十十分の一十十分の一十十分の一十分の一方の一方の一方の一方であっているののののことのからしているのではないのです。 サガイスのボーのローニーでものでありたとのは、一つなが、一つなべたの、一つなべられたのに、中になしななのには、これのになし間のおり 中日の一方のためのかなーをの一小小ののの、のものと目をなり、ものか! トラビンスの・セントシャンのひれーをないしない・・・・・ なるの言なな 作のち!」はお父……のたかのち!」ではなびのののソーーたおの一切のなわなかべの一切はないのの一回は父…けの一ちのなののならの一つから dastricected -- The -- rend -- stakk -- again -- De -- granted -- Seeden -- satue pseudoractes---monittored--merd--status--upon--compisetion--os--ose **通のまたがは、少れ、まらの・ななな。 なくのり・ひのり・どのなり・どのなり・ないない のいかい なくそかない こうのほうの まらい からしから** tk tk

たちの一十分ののたしつののませんなの一のおかのので Additions ŧ

- Swine-originating-from-s-pseudorabises-gualified-negative-nend-may Setten - categradating - - from - - other - - then - - e - - gaskisked - - yeseadorsotes 11日の日本一日の日日日本
- Despitye---heard--shait--oe--heartive--to--an--officetak--resd---no ののはは、一人ものはないというながなからない。このは、このは、このの、中央の人のというないのであるないのできないないのである。 では4×0円円の前にのかのの一位の一位のに、100円一位の一位の一位の一位のは、140円にあるよりのよりになるのではのできるが、100円にあるというできるというできる。 明心一的的电影影电影—如电影的一电影的一部的影响——我们们的影响心的的一篇的一图以电影——对水杨斯的——不可以电影————他们
- **もちの1mもれのフーでももの−でもものからなのに1ののかのもものできなのの~ものかとの~ものものな~の~~だのおも~~ものかなり** nerd--anath--be--hebd--in-th--bsokathon--on--the-hesd-prestses-for-a を下水中の作のだー―世代の一切のかののか、中心・川川の代の一角の近一の大学によりないからしたのであるのであり、最初に対して大学の大学になる。 上のおりだしているのではのだりのではのできないというないできないなのでは、 のになっているのでは、 ないしょうないになっているのできない。

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Section 115.80 Pseudorabies Testing of Reeder Swine

- Swine for feeding purposes shall, in addition to complying with the other requirements of this Part and 8 Ill. Adm. Code 105.10, enter Illinois without further testing requirements pseudorabies if: within move (e
- preside the season of the seas The swine are from a qualified pseudorabies negative herd, a swine pseudorables monitored herd; or
- The swine are from a nerd in which a representative sample of animals 6 months of age and over have been tested and are negative to an official serological test for pseudorables within the preceding 12 months. In herds of 35 animals or less, a representative sample is all swine 6 months of age and over or at V under the Pseudorables Eradication least 10 animals, whichever is less. In herds of 36 animals or a representative sample is a minimum of 30 percent or 30 animals that are 6 months of age and over, whichever is less; or The swine originate from a state that has been classified as approved by the United States Animal Health Association (P.O. Box 18176, Suite 235, 6924 Lakeside Avenue, Richmond, Virginia that meets the If there are multiple pseudorabies classifications within a state, the lowest classification shall by this Department as the classification for that State-Federal-Industry Program Standards (Jan., 19961995) 23228-0176) or originate from a country requirements for Stage V. Stage III, IV or oe recognized more, 3
 - Swine tested for pseudorables under a market swine testing program (Section 115.100) shall be included in the representative sample required in subsection (a)(2), Q Q

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Section 115.100 Breeding Animals Consigned to Slaughter

Before being mixed with swine from any other source, all breeding animals shall be submitted to the Department within 30 days of application. If such swine are slaughtered in Illinois, the management of the Illinois slaughter consigned to slaughter or offered for sale for slaughter shall be identified to the nerd of origin by an approved identification tag in accordance with the The tag shall be applied be made on forms provided by the United States Department of Agriculture and to the back of the neck of each animal. A report of such identification shall facility shall, upon written request from the Department or from the U.S. Swine Identification Program (9 CFR 78.33, 19961995).

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Department of Agriculture, provide for or permit the collection of blood samples for testing from the identified swine.	(Source

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NOTICE OF PROPOSED AMENDMENTS

- Heading of the Part: Livestock Auction Markets
- Code Citation: 8 Ill. Adm. Code 40
- Amendment Amendment 10.180 10.60

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Section Numbers:

- Proposed Action:
- of Illinois [20 ILCS [225 ILCS 640] 38 Code Statutory Authority: Livestock Auction Market Section 40.23 of the Civil Administrative 205/40.23].
- 40.30, 10.50 and 40.280, language as being aided to prontolt the diverting of slaughter animals on route to the slaughter facility. Language is also In Sections of Eleugher animals an route to the assets of any reactor or being added in Section 40.60(c) to possibility the sale of any reactor or A Complete Description of the Subjects and Issues Involved: the Department. 9
- Will this proposed rule replace an emergency rule in effect?
- Does this rulemaking contain an automatic repeal date? No
- Does this proposed amendment contain incorporations by reference?

No

- Are there any other proposed amendments pending on this Part? 6
- affect units of Statement of Statewide Policy Objectives: Rule does not iccal governments.
- day now consider the state of t Time, Place and Manner in which interested persons may comment on this Springfield, Illinois, Please mail written comments on the proposed fulemaking to the attention of:

Department of Agriculture State Fairgrounds Debbie Wakafiald P.O. Box 19281

to be available for consideration at the Springfield, IL 62794-9281 (217) 785-5713; facsimile (217) 785-4505 order for mailed comments ü

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MOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF AGRICULTURE

All comments received will be fully considered by the agency and the Advisory Board of public hearing, please mail no later than August 15, 1996. Livestock Commissioners. The public hearing on the proposed rulemaking will run concurrently with a public meeting of the Advisory Board of Livestock Commissioners.

Initial Regulatory Flexibility Analysis: 12)

- Types of small businesses, small municipalities and not-for-profit corporations affected: Slaughter buyers. (Y
- Reporting, bookkeeping or other procedures required for compliance: Appropriate forms must accompany slaughter animals en route to slaughter facilities. B)
 - No additional Types of professional skills necessary for compliance: professional skills are required.
- The full text of the Proposed Amendments begins on the next page: 13) Regulatory agenda on which this rulemaking was summarized:

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DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS) CHAPTER I: DEPARTMENT OF AGRICULTURE SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS TITLE 8: AGRICULTURE AND ANIMALS

PART 40

LIVESTOCK AUCTION MARKETS

Fee to Accompany Application Not To Be Refunded Release of Livestock for Interstate Shipment Veterinary Inspection Definitions

Veterinary Office

Detection of Diseased Animals Bovine Brucellosis

The Sale of Livestock for Immediate Slaughter Quarantine Pen

Brucellosis Test Pest Chute 40.80 10.90

Sale of Official Brucellosis Calfhood Vaccinates Feeder Cattle Subject to Quarantine

Yarding and Housing Backtagging

Display License (Repealed)

Sale Day Swine 0.160

Swine Which React to Test for Brucellosis Sheep

Cancellation of Escrow Agreements (Personal Bonds) (Repealed) Surety Bonds and Other Pledged Security Swine Movement Limitations (Repealed)

Disposition of Rejected Feeding or Breeding Swine Director To Be Named Trustee (Repealed) AUTHORITY: implementing and authorized by the Livestock Auction Market Law 225 ILCS 640] and Section 40.23 of the Civil Administrative Code of Illinois 20 ILCS 205/40.23]. SQUECE Requirement Relating to livestock Auction Markets, filed January 17, 1727, effective Nay 11, 777, effective Name 12, 777,

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

Reg. Reg. 1546, effective January 12, 1996; amended at 20 Ill. , effective

Section 40.50 Detection of Diseased Animals

quarantine pen. Sucn livestock may be sold through the auction ring at the identified with an Illinois slaughter tag, and the information recorded on Form C-24a, revised, which shall accompany each animal to slaughter. All livestock from the quarantine gen shall be delivered to a Rederal or State inspecied slaughtering establishment or to a public stockyard, and shall not be livered Diseased livestock, not detected prior to unicading, shall be placed in the en coute, or to a licensed dead animal disposal unit or be quarantined back to completion of the regular sale for slaughter only. Bacn animal shall the original owner, at the option of the owner.

effective Reg. 111. 13 10 Source: Amended

Section 40.60 Bovine Brucellosis

- Cattle wnich, upon being tested for brucellosis at a livestock auction market, are classified as reactors to the official test snall be placed in the quarantine pen and sold for immediate slaughter.
 - ractoss shall sign a 75 Form 1-27, "Permit For Movement of Animals." Illinois brucellosis reactors disclosed at other than a livestock the reactors when sold for slaughter shall be delivered to a public stockyard or recognized slaughtering establishment and be positively identified and branded as provided by Section 5 of the Ilinois Bovine luction market may be consigned to a livestock auction market Wesignated as a marketing center if accompanied by official 75 form and snall to only to the destination listed in the 75 Form 1-27. No charge of ownership of any reactor or suspect animal after the animal Srucellosis Eradication Act (510 ILCS 30/5), The purchaser of the .-27, "Permit For Movement of Animals". A new VS Form 1-27 shail be prepared by the livestock auction market vecerinarian and shall accompany the reactor to slaughter and shall not be directed an route G
- cattle, the negative cattle which have been in contact with the reactors for more than 04 nours shall be either returned to the farm of origin under quarantine OR shipped directly to a recognized Form 1-27 to be soid for staughter inty and small not be diversed an court and shall not be diversed an court and shall not be diversed and Form 1-27. Mo changes of purestable of any reactor or suspect animal after one animal and animal and animal animal and animal an slaughtering establishment or a public stockyard, accompanied by Unless cattle are being returned to the farm When one or nore brucellosis reactors are disclosed Department.

ias seen bought shall be allowed without the approval

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DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENTS

by branding with a not iron the letter "S" on the left jaw in letters not less than 2 nor more than 3 inches in height, before the cartle they shall be identified by an ear tag provided by the Department and Leave the livestock auction market.

effective Red. 20 1) (Source: Amended

Section 40.180 Swine Which React to Test for Brucellosis

upon being tested for brucellosis at a livestock auction maivet, react to an official brucelloss best small be placed in the quarantine pen and sold for shaughter only. The reactor shall be identified with a reactor identification tag. The animal, when sold, snall be accompanied by Form 3-63 and small so directly to the destination listed on Sorm H-63 and is not to be directed an court. Such swine may not be sold for feeding or breeding purposes. anail be delivered to State or Sederal Inspected slaughter establishment swine which,

effective Reg. 43 FB (Source: Amended

NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF AGRICULTURE

Heading of the Part: Livestock Dealer Licensing

- 68 Ill. Adm. Code 610 Code Citation: 2)
- Proposed Action: Section Numbers:
- Statutory Authority: Illinois Livestock Dealer Licensing Act 7
- A Complete Description of the Subjects and Issues Involved: Language is being added to promibit the diversion on route of diseased staughter animals and to assure that all required paperwork accompany the animals.
- Will this proposed rule replace an emergency rule in effect?: Does this rulemaking contain an automatic repeal date? No
- (8
- Does this proposed amendment contain incorporations by reference?
- Are there any other proposed amendments pending on this Part?
- Statement of Statewide Policy Objectives: Rule does not affect units of local governments.
- proposed rulemaking: A 45-day written comment period will begin on the day the notice of rulemaking appears in the Illinois Register. In addition to the written comment period, a public hearing on the proposed amendrents will be held on Wednesday, August 21, 1996 at 13:00 a.m., Department of Agriculture Building, 8th & Sangamon, State Fairgrounds, Springfield, Illinois. Please mail written comments on the proposed Time, Place and Manner in which interested persons may comment fulemaking to the attention of:

State Fairgrounds, P.O. Box 19281 Department of Agriculture Debbie Wakefield

217/785-5713: Eacs:mile 217/785-4535 Springfield, Il 62794-9281

public hearing, please mail no later than August 15, 1996. All comments received will be fully considered by the agency and the Advisory Board of order for mailed comments to be available for consideration at the Livestock Commissioners. The public hearing on the proposed rulemaking will run concurrently with a public meeting of the Advisory Board of Livestock Commissioners.

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NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF AGRICULTURE

- Types of small businesses, small municipalities, and not-for-profit corporations affected: Elvestock dealers, Initial Regulatory Flexibility analysis:
- Reporting, bookkeeping or other procedures required for compliance: Appropriate paperwork must accompany the diseased animals.
- Types of professional skills necessary for compliance: No additional skills are required.
- Regulatory acenda on which this rulemaking was summarized: July 1996
- The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS CHAPTER II: DEPARTMENT OF AGRICULTURE PART 610

LIVESTOCK DEALER LICENSING

Entry Requirements Definitions Section 610.10 510.20

Breeding Cattle Health Requirements (Repealed) Swine Realth Requirements

Prevention of Spread of Divestock Diseases

Care of Livestock (Repealed) Slaughter Animals Feeder Cattle 510.50 510.30 510.70 510.40 510.60

Compliance with Market Cattle Identification Program Identification Not to be Removed or Altered Surety Bonds and Other Pledged Security Inspection 610.90 510.80

Cancellation of Escrow Agreements (Personal Bonds) (Repealed) Director as Trustee on Surety Bonds (Repeated) 610.129

authorized by the Illinois Livestock Dealer PUR Licensing Act [225 ILCS 645]. AUTHORITY: Implementing

Dealer's Agent 'Repealed)

License Application

SOURCE: Rules and Regulations Relating to the Livestock Dealer Licensing Act.

Section 610.60 Slaughter Animals

effective January 12, 1996; amended at 20 Ill. Reg.

Livestock dealers purchasing animals for slaughter purposes only (cattle, swine Keep slaughter animals isolated from all breeding and feeder animals. or sheep) shall:

Be sold within 10 days of purchase direct to a public stockyard or recognized slaughter establishment under State or Federal supervision. Slaughter dattle from farm of origin may be consigned direct to a recognized slaughter establishment, or public stockyard, or licensed livestock auction market under State or Federal supervision (except

the type of cattle mentioned in subsection (c) below).

NOTICE OF PROPOSED AMENDMENTS

- purchased in accordance with Section 17 of the Illinois Livestock Dealer Sicensing Act (225 Livestock purchased at less than prevailing market price, such as cows with squamous cell carcinoma (cancer eye), indicate they are not healthy or are suffering from mainutrition shall be consigned directly to a recognized staughtering establishment under crippled animals, and animals whose general physical appearance Maintain records on each head of livestock State or Rederal supervision. Û
- diverted on route. Licensed investors dealers shall have all official forms accompanying the diseased livestock to the destination listed on Diseased livestook accompanied by official form(s) shall

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WOTICE OF PROPOSED AMENDMENT DEPARTMENT OF AGRICULTURE

- Heading of the Part: Swine Disease Control and Eradication Act
- Code Citation: 8 Ill. Adm. Code 105

Proposed Action: Amendment Amendment Amendment Section Numbers: 105.20

- Statutory Authorizzi Implementing and authorized by the Illinois Swine Disease Control and Eradication Act (510 ILCS 100), the Illinois Pseudorables Control Act [510 ILCS 90], and the Illinois Swine Brucellosis Eradication Act [510 ILCS 38].
- A Complete Description of the Subjects and Issues involved: Provisions in Section 115.30 of the Illinois Pseudorables Control Act regularions pseudorabies negative gene-alrered vaccinared herds, states or occupies classified as Stage III, IV or V under the Pseudorapies Bradication State-?ederal-Industry Program Standards from a test prior to importation currently exempt feeder swine from qualified pseudorables negative into Illinois. This wording will also be added to Section 105.10 in effort to locate all import requirements in one area.

permits is included in both Sections 105.10 and 105.30 to indicate that the complete mailing address, not just the name and town, is required for a permit. This is necessary, especially for breeding animals, as letters are sent out to the purchaser in Illinois informing that person as to the the mailing address for the Illinois Sestination for required post entry test. Section 105.30 will be amended to include current edition of the program standards. Clarification on

in Section 105.20, the required report from the owner on the condition of deleted as the Department no longer imported feeder swine is being requires this report.

- Will this proposed rule replace an emergency rule in effect?: No
- Does this rulemaking contain an automatic repeal date? No

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- Does this proposed amendment contain incorporations by reference? Are there any other proposed amendments pending on this part? 6
- Statement of Statewide Policy Objectives: Rule does not affect units of local governments.
 - A 45-day written comment period will begin on the Time, Place and Manner in which interested persons may comment on proposed rulemaking:

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DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENT

addition to the written comment period, a public hearing on the proposed amendments will be held on August 21, 1996 at 10:00 a.m., Department of Agriculture Building, 8th & Sangamon, State Fairgrounds, Springfield, illinois. Please mail written comments on the proposed rulemaking to the day the notice of rulemaking appears in the Illinois Register.

217/785-5713: facsimile 217/785-4505 State Fairgrounds, P.O. Box 19281 Springfield, IL 62794-9281 Department of Agriculture Debbie Wakefield

attention of:

In order for mailed comments to be available for consideration at the public hearing, piease mail no later than August 15, 1996. All comments received will be fully considered by the agency and the Advisory Board of Livestock Commissioners. the public hearing on the proposed rulemaking will run concurrently with a public meeting of the Advisory Board of Livestock Commissioners.

Initial Regulatory Flexibility Analysis:

Types of small businesses, small municipalities and not-for-profit corporations affected: Swine owners. 2

other procedures required for compliance: No additional procedures are required. pookkeeping Reporting, 9

No No Types of professional skills necessary for compliance: professional skills are required.

3) Regulatory agenda on which this rulemaking was summarized: July 1996 The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PROPOSED AMENDMENT

(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS) SUBCHAPTER D: ANIMALS AND ANIMAL PRODUCTS DEPARTMENT OF AGRICULTURE TITLE 8: AGRICULTURE AND ANIMALS CHAPTER I:

SWINE DISEASE CONTROL AND ERADICATION ACT

Section

Swine Entering Illinois for Feeding Purposes Only Quarantine of Imported Feeder Swine

Pseudorables (Audeszky's Disease) in Swine (Repealed) Swine Entering Illinois for Breeding Furgoses 05.40

General Requirements for Qualified Pseudorables Negative, Controlled Requirements for Establishing and Maintaining Qualified Pseudorables Vaccinated and Feeder Swine Sseudorables Monitored Herds (Repeated) 105.41 105.42

Requirements for Establishing and Maintaining Pseudorables Controlled Vaccinated Swine Heris .Repealed) Negative Herds :Repealed) 105.44

Maintaining pue Pseudorabies Monitored Herds (Repealed) Official Pseudorables Test (Repeated) Establishing 100 Requirements 105.50 105.46

Pseudorabies Test Requirements for Intrastate Movement (Repealed) Pseudorables Testing of Feeder Swine (Repealed) Feeder Swine (Repeated) 105.70

Feral Swine

and Eradication Act [510 ILCS 100], the Illinois Pseudorables Control Act [510 ILCS 90], and the Illinois Swine Brucellosis Eradication Act [510 LLCS 95]. AUTHORITY: Implementing and authorized by the Illinois Swine Disease

SQURCE: Rates and Requisitions Pelating to the Illinois Skine Disease Control and Exchanging Control (1978) 2 11. 889, 24, p. 13, effective June 55, 2783, 2 11. 889, 24, p. 13, effective June 51, 2783, 2 11. 889, 46, p. 10, effective June 11, 1283, 2 11. 889, 150, p. 13, effective June 11, 1283, 2 11. 889, 150, p. 13, effective June 11, 1283, 2 11, 128 1984; amended at 9 Ill. Reg. 2236, effective Feorlary 13, 1985, amended at 9 Ill. Reg. 18435, effective November 19, 1985, amended at 10 Ill. Reg. 3758, effective December 4, 1981; amended at 8 Ill. Reg. 5998, effective April 23, 13, 1989; amended at 14 111. Reg. 1961, effective January 19, 1990; amended at 114 11. Nov. 1932. effective Spienber 10. 1990; manded as 16 111. Nog. Nov. 1980; effective Nov. 1990; 60 and nov. 1990;

NOTICE OF PROPOSED AMENDMENT

effective August 16, 1993; amended at 18 Ill. Reg. 1880, effective at 20 Ill. Reg. 1563, effective January 12, 1996; amended at 20 Ill. January 24, 1994; amended at 18 Ill. Reg. 17968, effective January 1, , effective amended

Section 105.10 Swine Entering Illinois for Feeding Purposes Only

- a) Peeder swine, except feral swine, may enter illinois provided they are Origin and accompanied by a permit from the Department and an official identified by an ear tag or tattoo in the right ear showing state nealth certificate. Q.
- Be issued by an accredited veterinarian of the state of origin or a veterinarian in the employ of the United States Department of Official health certificate shall:
- Show that the reeder swine are tree from visible evidence of any contagious, infectious, or communicable disease or exposure Be approved by the Animal Health Official of state of origins
 - 7
- Dist number and description of the feeder swine, tattoos, ear tag Show that the feeder swine are not from a quarantined herd and/or

series or

- location of ear tag records when plus originate from of the breeding herd has been tested and for pseudorables (8 Ill. Adm. Ccde 115.80), from a qualified pseudorables negative or pseudorables MESTIVE SERELICES OF ACCIDENCE OF DISIDRE - ELM 3 SING PROJUCTABLES FOR DISSILIES SINGS TO THE FOR THE PROJUCTABLES ZEGICATION STARS-FRANKE, INDUSTRY FROM STARRANDER Alsociation (20 as approxed by the Juled States Animal Health Alsociation (20 and 2016) is 10th 2016 5014 described Animal Animal Alsociation (20 and 2016) is consistent of a country. These If there are multiple or this Department as the pseudorables classifications vicoin a state, the originated from a nerd classification shall be recognized for Stace cooperative feeder ply sales; and neers the tequirements sample Show that the swine representative found negative (9
 - Permits to import feeder swine snall only be issued to: classification for that entire state. Permits
- A person importing pigs to feed on his own premises and An Illinois Licensed Seeder swine Sealer; and for resale other than to slaughter.
- Applicant for permit snall furnish the following information to the Department:
 - Name and complete railing address of Illinois destination.
 - Name and address of consignor. Number of swine in shipment.

LLINOIS REGISTER

POTICE OF PROPOSED AMENDMENT DEPARTMENT OF AGRICULTURE

- If a person should be licensed under the Illinois Feeder A) Violation of the Act or any rule of this Part. Grounds for refusal to issue a permit are: 3
- Swine Dealer Licensing Act [225 ILCS 620] and his or her Presence of a disease which might endanger the Illinois license is not in good standing with the Department. swine industry.

Reg. 2.0 42 (Source: Amended

Section 105.20 Quarantine of Imported Feeder Swine

The-owner-shakk-report-the condition-of-such-feeder-swine-at-the-expiration-of-the--quarantine--period--on Feeder swine imported from other states shall be subject to quarantine destination for a period of twenty-one (21) days. forms-presentibed-by-the-Department-

effective Reg. 42 (Source: Amended

Section 105.30 Swine Entering Illinois for Breeding Purposes

- Swine for breeding purposes, except feral swine, may enter Illinois they are accompanied by a permit from the Department and an Official health certificate shall: official nealth certificate. (a) â
 - Be issued by an accredited veterinarian of the state of origin or by a veterinarian in the employ of the United States Department
- Be approved by the Animal Health Official of the state of origin; of Agriculture; 3 3
 - Identify each animal by registration number, ear tag, tattoo, or ear notch approved by the respective breed registry;
- Show the swine are free from visible evidence of contagious, infectious, or communicable diseases; 6
- Show any swine more than 4 months of age to be negative to an approved 3) days prior to entry, OR that the swine criginate from a validated brucellosis-free nerd, with validated (February 1995; as approved by the United States Animal Health herd number and validation date listed on the health certificate, OR that the swine originate from a validated brucellosis-free state (Swine Brucellosis Eradication Uniform Methods and Rules Association, P.O. Box X227, Suite :14, 1610 Forest Avenue, Show that the swine are not from a quarantined herd and/or area; Λc official test for prucellosis, conducted Richmond, Virginia 23228)).
 - incorporation by reference does not include any amendments or editions beyond the date specified; and Show any swine to be negative to an official

MOTICE OF PROPOSED AMENDMENT

pseudorables conducted by an approved laboratory within 30 days prior to entry OR that the swine originated from a qualified pseudorables negative herd, with the qualified herd number and swine originated from a country that meets the requirements for Stage V or from a state that has been classified as Stage IV or State 7 under the Pseudorables Eradication State-Federal-Industry Program Standards (January 1, 1996 1995) as approved by the Box K227, Suite 1610 Forest Avenue, Richmond, Virginia 23228). If there are multiple pseudorabies classifications within a state, the lowest by this Department as the classification for that entire state. Incorporation by reference loes not include any amendments or editions beyond the date qualification date listed on the health certificate, OR that United States Animal Health Association (P.O. classification snall be recognized

- Permits to import breeding swine shall be issued by telephoning specified. Permits: Û
 - Applicant for permit snail furnish the following information Name and complete mailing address of Illinois destination; or writing the Department. the Department:

Name and address of consignor; and

- Molation of the Act or any rule of this Part; and Grounds for refusal to issue a permit are: Number of swine in shipment. 3
- Presence of a disease which might endanger the Illinois Imported breeding animals shall be kept isolated until a percentage of the imported breeding swine are retested and negative to an official for pseudorables conducted not less than 21 days nor more than 90 days after entering Illinois. If the number of imported breeding animals is 35 or less, all or at least 10 animals, whichever is less, are to be tested. If more than 36 imported breeding animals are involved, a minimum of 30 percent or 30 animals, whichever is less, is Swine originating from a country that meets the requirements for Stage V or a state that has been classified as Stage Pseudorables Eradication State-Federal-Industry Program Standards are exempt from the .solation and retest provisions. If there are multiple pseudorables classifications within a state, the lowest classification shall under the swine industry. Stage to be tested. ô

Reg. 20 at Source: Amended

recognized by this Department as the classification for that entire

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

- NOTICE OF PRCPOSED AMENDMENTS
- Code Citation: 89 Ill. Adm. Code 356 Heading of the Part: Rate Setting 5)
- Proposed Action: Renumber, Amend Amend Renumber, Amend Renumber, Amend Renumber, Renumber Section Numbers: 3
- 20 ILCS 505/5a Statutory Authority: ÷

Renumber, Amend

- A Complete Description of the Sub-sors and issues involved: The Department of Children and Pamily Services will be providing the child care institutions, group nome, maternity center and snelter providers with which it contracts with a three per cent cost of living adjustment from the amount paid to the provider effective June 13, 1356. This lost of things adjustment is effective for the period from July, 1396 incrough June 30, 1987 (State Pissal Feat 1397) and, for State Pissal Year 1397). replace the Department's established reinchology for granting cent cost of living cate adjustment does not preclude the possibility for periodic rate adjustments for residential care providers. This three rate adjustments based upon changes in program services. W111
- Will these proposed rules replace an emergency rule currently in effect? 6
- Does this rulemaking contain an automatic repeal date? No
- 0 Do these projosed rules contain incorporations by reference?
- Are there any proposed amendments to this Part pending? 6
- Statement of Statewide Policy Objectives: These rules do nor preate or expand a state mandare as delined in Section 3(o) of the State Mandares Act [30 ILCS 805, 3(b) ..
- <u>proposed rulemaking:</u> Comments on this proposed rulemaking hay be submitted in writing for a period of 45 days following publication of this Time, Place, and Manner in which interested persons may comment notice. Comments should be submitted to: 11)

Department of Children and Family Services Office of Rules and Procedures Jacqueline Nottingham, Chief

DEPARTMENT OF CHILDREN AND PAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

406 East Monroe Street, Station #222 Springfield, IL 62701-1498 (217) 524-1983 TETE: (217) 534-3715 The Department will consider fully all written comments on this proposed the material scentified during the 15-140 comment period. Comments submitted by small businesses should be identified as such.

) Initial Regulatory Flexibility Analysis:

- A) Tites 25 Small businesses and "unicidabilities and not for profit ENEGOTION Additional lines tide do not affect shall businesses. But not fix profit orgonations till businesses.
- B) Reporting, cockweeping or tract procedures required gompilance: None
- C) Types of professional skills necessary for compliance: None
- 13) <u>Requirements Appends on which this triberation as immanizable</u> This tile Myss and concluded in contract of the Discussers and English med the Myss triberating implements 58 1/26) into Department's apportantion bill, which had don't been signed into law when the previous requiredcy agendas were published.

The full text of the proposed amendments begins on the next page:

ILLINOIS REGISTER

STATE BOARD OF EDUCATION NOTICE OF PROPOSED RULE

Heading of the Part: Charter Schools

-) Code Citation: 23 Ill. Adm. Code 650
- 650.10 Numbers: Propsed Action 650.10 New Section 650.10 New Section
- 4) Statutory Authority: 105 ILCS 5/27A-13
- 5) A Consider Description of the Subjects and Issues Incolved Dovernor Edgar elgent charter should regulate the man and an application. The new Act cook effect that day, enabling charter smooth application as obsumit applications to somit applications to closel loads of education in any time. We measured the search summission of testing approach any or ints approach and an action to the search of the sear

These emergency tules will expire and must be replaced by ordinary rules.

- Will this rulemaking replace any emergency rulemaking currently in effect? Yes(see above).
- Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed this contain incorporations by reference? The rules do not contain an incorporation by reference under Section 5-75 of the filtnois Administrative Procedure Act.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.
- Time. 2lace and Manner in which interested persons may comment on this ECOPOSED LATERATES WITHOUT COMMENTS may be submitted within 45 days after the Publication of this notice for

Agency Rules Coordinator Illinois State Board of Education 100 North First Street (S-284) TLLINGIS REGISTER

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STATE SOARD OF EDUCATION

Springfield, Illinois 62777 (217)782-0541

NOTICE OF PROPOSED RULE

- Enitial Regulatory Flexibility Analysis: These rules will not affect small pus:nesses.
- 3) Regulatory Agenda on which this rulemaking was summarized: July 1996

The full text of the Proposed Rule begins on the next page:

9808

STATE SOARD OF EDUCATION

NOTICE OF PROPOSED RULE

TITLE 23: EDUCATION AND CULTURAL RESOURCES CHAPTER I: STATE BOARD OF EDUCATION SUBCHAPTER O: MISCELLANEOUS SUBTITUE A: EDUCATION

CHARTER SCHOOLS PART 650

Definitions

Submission to State Board of Education Review by State Board Purpose 650.20 650.40

Appeal of Local School Board Reports Revision and Renewal of Charters 650.50

AUTHORITY: Implementing and authorized by Article 27A of the School Code (105 LLCS 5 Art 27A (see 2.A. 89-450, alfactive April 10, 1996).

SOURCE: Emergracy tiles adepted at 2) 111, Reg. 6129, effective April 23, 1996, for a maximum of also days namedomic at 0.011 Reg. 8577, effective June 25, 1996, for a maximum of 100 days; new Parts adepted at 20 111. _, effective

Section 650.10 Definitions

"Article 27A of the School Code: means 135 ILCS 5/Art. 27A (see P.A. 89-450, effective April 10, 1996).

Section 650.20 Purpose

Article 27A of the School Gode sers forth the requirements for a charter school and the procedure for consideration of a charter school proceal by local boards of education. Pursuant to Section 174-4'e) of the School local, two or nore local boards of education may jointly submit a proposal for a single charter school. This Part sets forth the procedures applicable to reporting to the State Board of Education by local school coards of the submission of charter school proposals, as required by Section 27A-3(f) of the School Ocde.

Section 650.30 Submission to State Board of Education

Gooal board(s) of education shall report to the State Board of Education as to the action by the color leaded of a definition of a control of a definition of definition of

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULE

the State Board of Education. Reports shall be submitted as the report State Board of Education within 14 days after the date that Submitted to follows:

Article 27A of the School Code. The form and the proposed contractual agreement smail oe aigned by the president(s) of the local school board(s) and the appropriate officers of the charter school governing Code provides that a proposed contract between the governing body of a proposed charter school and the local school board must be submitted to and certified by the State Small include a certification as to compliance with all of procedural requirements and application components set forth Reports of approved applications, revisions, or renewals shall accompanied oy a form to be supplied by the State Board. 27A-6 of the School Soard before it can have effect. Section

Reports of denials, revocations or non-renewals shall consist of the proposal as voted upon by the local coard(s) of education, any text of minutes, written statement of the board, board letter of cationale cited by the board for its action (e.g., text of motion,

A defilisation of publication and a copy of the printed notice of the public meeting for each local board of education involved, as required Section 27A-8(d) of the School Code, must be submitted with ail denial) and a record of the vote of the board(s) on the proposal.

Reports shall be submitted via certified mail, return (p

Illinois State Board of Education

1111nois 62708

Reports must be postmarked no later than 7 calendar days following the yote occurred and must include proof of service of the report upon the in cases of separate public meetings by each school board days shall begin when the last school board votes date of public meeting of the local board(s) of education at which No electronic or facsumile transmissions will be accepted. 901 .nvolved, 6

the matter.

Section 278-(b) of the School Cide Limits the number of charter sensols and requires the Shake Board of Blueshin to process sensols in one selection to process the charter of the selection of t inis Section or postmarked later than 7 calendar days following the by all school boards involved shall not be processed. consideration by the State Board of Education, applications Approved proposals addressed other than as specified in subsection date of approva-

Section 650.40 Review by State Soard

Pursuant to Section 27A-6(d) of the School Code, the State Board shall in chronological assign a number to each submission or resubmission

LLINOIS REGISTER

STATE BOARD OF EDUCATION NOTICE OF PROPOSED RULE

the number of charter schools operating in a region falls below the maximum authorized. Notification shall be provided in a manner order of its receipt within each of the three geographic regions notify local boards of education when the maximum numbers of charter applications from such region(s) shall be processed until such time as The State Board snall schools authorized for any region have been reached, and no further designed to reach each school district superintendent in the region. delineated in Section 27A-4 of the School Code.

The State Board shall review each report of an approved application, to determine whether the statutory requirements have been followed and the proposed contractual agreement is complete compliant with the provisions of Article 27A of the School Code. the provisions of Article 27A of the School Code shall be certified by the State Superintendent until the maximum authorized numbers have local school board(s) and the charter school governing body. A certified copy of the charter shall be sent to Proposed contractual agreements which are complete and compliant charter school may be authorized to open prior to the fall (Section 278-4(i) of the School Code). or renewal been reached. revision

If a report is incomplete or a proposed contractual agreement fails to comply with any applicable law. the State Board shall so notify the submitting school board(s) and the applicant, identifying the area(s) of deficiency that must be remedied before the proposal can be

The review shall be limited to ascertaining compliance with the notice and hearing requirements of Article 27A and to determining that the rationale of the school board(s) does not contain revoked or non-renewed application or revision if an appeal is filed by the any errors as to the applicable legal requirements. The State Board shall not review the educational or operational policy decisions of the local school board(s) in denying, revoking, or refusing to renew The State Stard shail review a report of a denied, considered for certification. G

The State Superintendent shall notify the local school board(s) and an approved application, renewal or revision by certified mail within If an appeal of a denied, revoked or non-renewed application The School State Superintendent snail notify the local school board(s) and the the applicant as to a determination made with respect to a report or revision is submitted pursuant to Section 650.60 of chis Part, applicant by certified mail as to the determination made with 14 days after receipt of the report (Section 27A-8(E) of to the review within 14 days after receipt of the appeal. an application or revision.

Section 650.50 Revision and Renewal of Charters

No material revision to a previously certified contract or a renewal shall be renewal is consistent with the provisions of Article 27A (Section 27A-5(e) effective unless and until the State Board certifies that the revision

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULE

the School Code). Proposed revisions or renewals of a charter shall be submitted to the State Board of Education in the manner set forth in this Part.

Section 650.60 Appeal of Local School Board Reports

local stock towards also to comply with the potter and hearing requirements to A middle 27% of the Sonoil Code or if the local stoool boards and errors in applying the logal requirements of Article 77%, or both. The appeal must be postanted on the first particle first or the proper in the property of report which denies, revokes or refuses to renew an application only if the An applicant may appeal to the State Board of Education a local school board writing by certified mail, return receipt requested, to the following address:

Charter Schools P.O. Box 6404

Springfield, Illinois 62708

No electronic of Essisting Establishing kills be scopped.

Assistant and assistant as specified become or possanted inter than 14 spoolwand days following the date of submission of the report shall not be poolwand.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

and Nail 7

5)

Esthetics,																																								
Cosmetology,		: 00																																						
The Barber,	Adm. Code 1175	Proposed Action		Amendment	Ателатела	Amendment	Amendment	Amendment	Amendment	Amendment	Ашелашелг	Amendment																												
Heading of the Part: Technology Act of 1985	Code Citation: 68 Ill. A	Section Numbers:	9	Ξ	175	175.20	175.2		75.22	1175.225	2.67	75.30	1175.305		1175.320	1175.325	1175.330	1175.335	1175.340	1175.345	1175.350	1175.360			1175.405			 7	7	175.50	6.50	75.51	5.32	75.52	5.53	175.	'n	175.5	1175.550	.175.560

DEPARTMENT OF PROFESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

Amendment Amendment Amendment Amendment Amendment Amendment Amendment Amendment Amendment Amendment

> 175.1165 175,1160 1175.1175 1175.1200 175.1215

REGULAT	
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9	
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Amendment

1175.605

| Repealed | Repealed | Repealed | Amendment | American |
|----------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|

1175.705 1175.710 1175.715

Sechnology Act of 1985 (225 ILCS 410].

Na i 1

and

The Barber, Cosmetology, Esthetics,

statutory Authority:

7

Americaent Amendment Ателстви Amendment Ателепера Ателстепт Amendment Amendment Amendment Americanent

1175.735

New Section

rulemaking updates the rules to conform with the 1995 sunset rewrite of the Barber, Cosmetology, Estherics, and Mail Technology Act of 1985. Complete Description of the Subjects and Issues Involved:

article IIID of the Act establishes that no person, firm, parthership, limited liability company or corporation shall own or operate a osmetology, esthetics, or nail technology salon or bather shop without itst applying for a certificate of registration from the Department of Professional Regulation. The proposed amendments establish procedures to obtain the required registration.

cosmetology, nail technician or esthetics salon. The renewal fee for egistration of a shop or salon will be calculated at the rate of 520 per The fee for changing the name or address of a registered barber shop or salon will be \$20. Established by the Act is a \$500 application fee for continuing education sponsors, along with a \$500 annual renewal A fee of S40 is established for registration of a barber shop

> Amendment Amendment Amendment Ателстепт Ателстепт Amendment Amendment Amendment Amendment Amendment Amendment Amendment Amendment

175,915 1175.1001 1175.1005 1175.1015

Repealed Repealed

1175.840 1175.850

1175.865 1175.870 1175.900 175,910

175.830

teachers, barber teachers, esthetics teachers and hail technology teachers licenses rather than certificates of registration. Some in the proposed amendments while others remain the same. The application fee for iteensure will be \$30, which is \$5 more than the current registration fee. The tenewal fee also will increase by cosmetology Cosmetologists, barbers, estheticians, nail technicians, 510 for a two-year license. current fees are increased will be issued

consectingists firm 10 to 11 per releval period. CE hours required to renew a cosmetology teacher license are increased from 10 hours to 24 hours, while estretics reachers and hall recondician teachers will need to in continuing education (CE) requirements are obtain 20 hours instead of the current 10 hours to renew their licenses. incorporated into the rules, including a reduction in hours required changes

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DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

There are changes in the required curriculum for cosmetology, esthetics and nail technology schools. Changes include an internship program as an optional part of the curriculum.

the proposed amendments. So are examination retake for cosmerologists, estheticians, nail technicians, Required enrollment agreements and refund policies for schools also are cosmetology teachers, esthetics teachers and nail technology teachers. in for requirements

- Will these Proposed Amendments replace an emergency Rule currently effect? No
- Does this rulemaking contain an automatic repeal date? No
- Do these Proposed Amendments contain incorporations by reference?
- Are there any other Proposed Amendments pending on this Part?
- Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.
- Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation 217/785-3813 Fax. #: 217/782-7645 320 West Washington, 3rd Floor Attention: Jean A. Courtney Springfield, IL 62786

All written comments received within 45 days of this issue of the Illinois Register will be considered.

Initial Regulatory Flexibility Analysis:

- Types of small businesses, small municipalities and not for profit corporations affected: Sarbers, cosmetologists, estheticians, nail technicians and their education providers. æ
- for use of the site as a school. Such application also must include a a signed fire inspection report from the local fire inspection authority within six months of filing an application' giving approval financial statement prepared by a licensed public accountant who is Reporting, bookkeeping or other procedures required for compliance: Schools seeking licensure will be required to submit to the Department not an employee of the school, indicating that sufficient finances exist to operate the school for at least three months. B)

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DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

Types of professional skills necessary for compliance: Barber, cosmetologist, esthetician or nail technician skills are necessary for licensure.

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13) Regulatory agenda on which this rulemaking was summarized: July 1995 The full text of the Proposed Amendments begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS TITLE 68: PROFESSIONS AND OCCUPATIONS

THE BARBER, COSMETOLOGY, ESTHELICS, AND NAIL TECHNOLOGY ACT OF 1985 PART 1175

SUBPART A: GENERAL

English Translations Pees

1175.100 1175.105 1175.110

Granting Variances

SUBPART B: BARBER

Examination - Barber Teacher Examination Requirements Examination - Barber

Application for Licensure Endorsement Renewals 1175.215

Restoration - Barber 1175.225 1175.230 1175.235

Restoration - Barber Teacner

SUBPART C: BARBER SCHOOLS

School Approval Application Physical Site Requirements Student Contracts Advertising 1175.319 1175.315 1175.320 1175.325 1175.330 175,305

Section

Curriculum Requirements - Barber Teacher Curriculum Requirements - Barber Recordkeeping - Hours Earned Recordkeeping - Transcripts

Change of Dynership Change of Location Final Examination Change of Name 175.350 175.343 175.345

Discontinuance of Program Withdrawal of Approval Expansion 175,360 1175.365

COSMETOLOGY SUBPART D:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

Examination - Cosmetology Teacher Examination - Cosmetology Examination Requirements 1175.405 1175.410 Section

Application for Licensure

1175.415 1175.420 1175.435

Restoration - Cosmetology Teacher Restoration - Cosmetology Endorsement Renewals

1175.425

SUBPART E: COSMETOLOGY SCHOOLS

Unrollment Agreements and Refund Policies Student-Sentracts School Approval Application Physical Site Requirements Advert:sing 1175.515 175,505

Recordkesping - Hours Earned Recordkeeping - Transcripts 1175.520

Curriculum Requirements - Cosmetology Teacher Curriculum Requirements - Cosmetology 1175.525

Change of Ownership Change of Location Final Examination 175.540 1175.545 1175.550

Discontinuance of Program Change of Name Expansion 1175,555 1175.560

Withdrawal of Approval

SUBPART F: CONTINUING EDUCATION - COSMETOEOGY/COSMETOLOGY TEACHER

Department Supervision (Repealed) Sponsor Approval [Repealed] 175,600 1175.610

Walver of Continuing Education Requirements (Repealed) Credit Hours (Repealed)

1175,615

SUBPART G: ESTRETICS

Examination - Estherics Teacher Examination Requirements Application for Licensure Examination - Estherics Endorsement 1175.710 175.705

Restoration - Esthetics Teacher Restoration - Esthetics Renewals 1175.720 1175.725 1175.730 1175.735

DEPARTMENT OF PROPESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

SUBPART H: ESTHETICS SCHOOLS

Enrollment Agreements and Refund Policy Student-Centracts Cosmetology Schools Approved to Teach Esthetics Sathetics School Application Physical Site Requirements 1175.800 1175.815

Curriculum Requirements - Esthetics Teacher Curriculum Requirements - Esthetics Recordkeeping - Hours Sarned Recordkeeping - Transcripts Advertising 1175.820 1175.825 1175.830 1175.835

Change of Ownership Final Examination 1175.845

Change of Location Change of Name Expansion 175.863 175,865

Discontinuance of Program Withdrawal of Approval 1175.870 SUBPART I: CONTINUING EDUCATION - ESTHETICIAN/ESTHETICS TEACHER

Department Supervision (Repealed) Sponsor Approval (Pepealed) 1175.900 1175.905 1175.910

Waiver of Continuing Education Requirements (Repealed) Credit Hours Repealed)

SUBPART J: NAIL IECHNOLOGY

for Licensure under Sections 3C-4 and 3C-5 of the Act (Grandfather) (Repealed) 1175.1000 Application Section

1175.1305 Examination - Nail Technology Teacher Examination - Nail Tecnnician Application for Licensure Examination 1175.1019

1175.1001

1175.1255 Renewals 1175.1030 Restoration - Wail Technician 1175.1035 Restoration - Wail Technology Teacher

175.1020 Endorsement

1175,1105 Cosmetology Schools Approved to Teach Nail Technology

1175.1110 Physical Site Requirements

1175.1100 Nail Technology School Application

Section

SUBPART K: NAIL IECHNOLOGY SCHOOLS

Licensure fees for cosmocologists, nations of estleticiars, nail sechiciars, constituting yeachest, bather ascenses esthetics teaches and mail remnology sechies eas. +Besthificatey-as-a-a-Registered-Bosnerokograty-Batbesy-Esthethoriany-Nath â

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1175.1115 Enrollment Agreements and Refund Policies Student-Contracts 1175.1120 Advertising NOTICE OF PROPOSED AMENDMENT(S)

1175.1130 Recordkeeping - Hours Earned 1175.1125 Recordkeeping - Transcripts

1175.1140 Curriculum Requirements - Nail Technology Teacher 1175.1135 Curriculum Reguirements - Nail Technology 1175.1145 Final Examination

1175.1150 Change of Ownership 1175.1155 Change of Location

1175.1160 Change of Name 1175,1165 Expansion

1175.1170 Discontinuance of Program

1175.1175 Withdrawal of Approval

SUBPART L: CONTINUING EDUCATION --- NAES-TEGHNEGEAN/NAES-TEGHNGEGE

1175.1205 Department Supervision 1175.1200 Sponsor Approval

1175.1215 Warver of Continuing Education Requirements 1175.1210 Credit Hours

SUBPART M: REGISTRATION

Section 1175:1300 aplication for a Barber Shop or Cossectiony, Wall Technician or Esthetics Salon Certificate of Registration

AUTHORITY: Implementing the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 [225 ILCS 410] and authorized by Section 60(7) of the Civil Administrative Code of Illinois (29 ILCS 2105/60/7)1. AUTHORITY: Implementing

SOURCE: Adopted at 12 Ill. Reg. 20488, effective Movember 29, 1988; emergency

effective August 18, 1992; amended at 18 Ill. Reg. 4856, effective March 14, , effective 994; amended at 20 Ill. Reg.

SUBPART A: GENERAL

Section 1175.100 Fees

NOTICE OF PROPOSED AMENDMENT(S)

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- The See for-application for a ...cense ceretéresee--be--regéatration is 530 and is to be Diccesse destarated of Sentences.
- to pay, either to the Department of Professional Regulation (the Department) or to the designated testing service, <u>submitted with the application 985.</u> Examination, Applicants applicants for any examination shall a fee covering the dost of providing the examination.
- The fee for renewal of a license destricteres-of regressmenten shall be calculated at the rate of 525 920 per year.
 - Restoration. The fee for restoration of a license eerseftee-of not to exceed \$135 6±±0.

Restouttion From Inactive Status. The See for restoration of a

- for a cosmetticgist, batter, estaetosin, nail sechnician, dosesticgy asocies, batter sechnes, someticgy asocies, carbet index the laws of another sechnicing the laws of another ...cense coarectingratingentalinesse.em-ce-requerimenter from inactive status is the current renewal fee.
- <u>Litonausura (asa for ocametology schools, barber schools, eschetios schools, schools</u> schools or nati rechallogy schools area determinendense nationals area e 新れる中のおおり中国 - 中国の関係上旬の上のものものの上のからものにものは、1000とものしたからものにものになっているからかったからなったとのものは urisaciorion is 545 see.
- fee for a license 2802 destribedane--of--registration is SIS) 958 plus the
- Change of Ownersmip. The fee for a <u>license certificere</u> resulting from a mange of ownership is <u>SISO</u> 550 plus the cost of
 - Change of Location. The fee for a <u>license retrificate</u> resulting from a change of location is <u>\$150</u> 950 plus the cost of inspection
- Change of Name. The See Sor a license certificate tesulting Erom a change of name is \$20.
 - for reneval of a license cedesycenses spail be calculated at \$110 per year. The fee
- Regresoration. The dee for regresoration of a parber shop or

DEPARTMENT OF PROFESSIONAL REGULATION

WOTICE OF PROPOSED AMENDMENT(S)

elet General Fees

- 1) Duplicate/Replacement. The fee for the issuance of a duplicate or replacement license certificate is \$20.
- destitteste vith a change of name or address other than during the remewal period is \$20. No fee is required for name and address changes on Department records when no license cerraficate Change of Name or Address. The fee for issuance of a license
- of Record. The fee for certification Certification
- The dee for a wall dertificate licensure regrettes is the actual cost of producing Licensee's restantient's record for any purpose is \$20. Centificate. -
- Roster, The fee for a roster of persons <u>licensed</u> reserved as consellings, organizations and an open conselling the control of the control o tecnnology reachers, cosmerology schools, esthetics schools, hall Certificate.
 - the actual cost of producing such a coster. Inactive Status. The fee to place a costerobogy license on reconciogy scattis, and barber schools, and shops and salons inactive status, other than during renewal, is \$20. (6

Reg. (Source: Amended

Section 1175.105 English Translations

Cosmetology, and Esthetios, and Nail Technology Act of 1985 (the Acta) 1228 ILCS 410] *Fitty Reyr-Staty-1997y-ch--tity-pary-1998-et-segy and his Part, in reign language mist be accompanied by an original, notorized English starton. The translator must be fluent in both English and the foreign Any document submitted to the Department, in accordance with the Sarter, anguage and must certify to the accuracy of the translation. Reg. 30 Source: Amended

Section 1175.110 Granting Variances

Director of the Department may grant variances from this Part in individual cases there he gas finds that: $\frac{1}{1200} \frac{1}{100} \frac$

statutorily mandated;

No no party will be substantially injured by granting the The rme rule from which the variance is granted would, in particular case, be unreasonable or unnecessarily ourdensire.

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Department	stics and Nail Technology Committee of	reasons therefor, at the next meeting of	
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The Director	Cosmetology, Esther	of such variance	Committee.

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SUBPART B:

Section 1175.200 Examination - Barber

- Each applicant must meet the requirements in Section 2-2(a), (b)7 Aling an application for the Department authorized examination. of the Act price and (c) or 2-3(a), (b), and (c) and (d)
- An applicant's training must be received from a barber school approved by the Department <u>that which</u> meets the requirements set forth in Subpart 3 of this Part. Each applicant shall file an application Application.
- examination, on forms provided by the Department, at least 45 days prior to an examination date. The application shall include:
- An utilicial transcript showing successful complexion of the required training outlined in Section $2-2(\alpha)$ and $2-3(\alpha)$ and (d)Act and a passing grade on the final examination administered by one sencel as set forth in Section 1175.340;
 - Proof of any name change (i.e., marriage license, divorce decree, A complete work history since graduation from barber school:
 - afficavit, or court order); and
- Individuals who do not optain a license within 5 years of graduation from barber school will be required to complete a 250 hour refresher nource makens they may takens a license. The required examination fee.

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Section 1175.205 Examination - Barber Teacher

- in Section 1-4(a), b), (c) = and (d) of the Act prior to filling an application Eligibility. Each applicant must meet the requirements for the barber teacher examination. a)
- the Department, at least 45 days prior to an examination 1) Proof of any name change (i.e., marriage license, divorce decree, application, Application. Saon applicant shall file an The application shall include: provided by date.
 - The required examination fee; and affidavity or court order);

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DEPARTMENT OF PROFESSIONAL REGULATION

MOTICE OF PROPOSED AMENDMENT(S)

- showing at least 3 years of Subpart C) showing successful complexion of 500 hours of teacher training as outlined in Section 1175.335 of this school An official transcript from an approved barber Part; employment verification Either: 3
- An official transcript from an approved barber school showing successful completion of 1000 nours of barber Section 1175,335 of this practical experience as a registered barber; or teacher staining as outlined in
- A complete work nistory since graduation from barber school: and A copy of the applicant's current Illinois barber license.

Sed. at (Source: Amended

Section 1175.210 Examination Requirements

- or ins designated testing service for parbers and reachers Examinations A-separate--examination snall be administered by Department (a)
 - The passing grade on each examination is 75. (q
- Reg. (Source: Amended at

Section 1175.215 Application for Licensure

- A signed and completed licensure application which the applicant will. receive with the notification of successful completion Each applicant shall submit to the Department:
- Proof of name change (i.e., marriage license, divorce decree, affidavity or court grder) if different from that shown on pre-printed The required fee set forth in Section 1175,100. licensure application; and
- Reg. n) (Source: Amended

Section 1175.220 Endorsement

- An applicant who is currently licensed as a barber in another jurisdiction and who is seeking licensure in Illinois by endorsement file an application, on forms provided by the Department, which shall include: shall (p
 - 1) A certification from the state of original licensure stating:

WOTICE OF PROPOSED AMENDMENT(S)

A)B+ A brief description of any licensure examination taken and The-number-of-barber-training-hours-received-

Official transcripts from the school(s) attended by the applicant the applicant's file contains any record disciplinary actions taken or pending2= the grades received; and Ble+ Whether

showing the courses completed and the hours received with the other than original authority of the number of nours required for licensure at seal affixed or a verification from the of current licensure if Certification 3

Two completed Verification of Employment forms showing at least 3 years of lawful practice in another jurisdiction if: licensurera 7

one jurisdiction of priginal licensure does not require a licensing examination or has not provided an examination

A complete work history snowing all employment since graduation the applicant is applying under Section 2-4a of the Acti-

from barber school to present; (9

Proof of any name change (1.e., marriage license, divorce decree, affidavit or court order) if hame is other than that shown on any

A copy of the licensing act applicable on the date of original The required dee set forth in Section 1175.100; and of the documents submitted attached-decuments:

licensure showing the requirements for licensure if requested by the Department in the application review. The Department will make such a request if the application materials are incomplete. <u>0</u>

An applicant who is currently licensed as a barner teacher in another jurisdiction and who is seeking licensure in Illinois by endorsement shall file an application, on forms provided by the Department, which snall include:

A certification from the state of original licensure stating:

AlB? A brief description of any licensure examination taken and the grades received; and,

Official transcripts from the school(s) attended by the applicant showing the courses completed and the nours received with the ascrool seal offixed by a setilization from noe licensing the control of the number of louns equited for licensure at the time ine applicant was originally licensed: 3)89 Whetner the applicant's file contains any record disciplinary action taxen or pendingg-

Two Verification of Employment forms shall be submitted by the applicant who completed at least 500 hours of reacher training but less than 1900 hours. A barber teacher applicant shall A barber teacher applicant shall original licensure if other than of current Certification licensure; 3

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DEPARTMENT OF PROFESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

- A complete work history showing all employment since graduation verify 3 years of lawful practice as a barberi-
 - Proof of name change (i.e., marriage license, divorce decree, from basic barber school to present;
- affidavity or court order) if name is other than that shown on A copy of the applicant's barber license or verification from the practice barbering with a barber teacher license current-Siteness nas the ability that the applicant any of the documents submitted; authority
 - The required fee set forth in Section 1175.100; and 一年の日の日の一年一年の一年の日の日本日本日 6
- A copy of the Licensing act applicable on the date of original licensure showing the requirements for licensure if requested by the Department in the application review. The Department will
 - An applicant for licensure as a barber who is licensed in another jurisdiction shall be given 300 hours of educational credit for every 2 month period during which hershe was lawfuily employed as a carber. To optain credit for work experience, the applicant must submit verification of employment on forms provided by the Department in support of the work experience. A certification of licensure from the make such a request if the application materials are incomplete. jurisdiction in which the lawful practice is claimed must also submitted.
 - An applicant applying for licensure as a barber or barber teacher on the pasis of endorsement who has previously failed the incensing not be approved for licensure on the a substantially equivalent licensure tne substantially most recently failed examination in illinois snail not be approved for licensure on basis of endorsement unless and until he she provides verification The successful completion of equivalent examination must occur after the examination attempt in Illinois. completion of examination. successful ê

Reg. 111. 20 (Source: Amended at

Section 1175,225 Renewals

- Barber, barber teacher and barber school licenses shall expire on July 31 of each odd numbered year. The nolder of a <u>license earrifice</u>are-of registration may renew <u>char license</u> such restration may renew char income. preceding tos expiration date.
- Return a completed renewal application; and Applicants for renewal shall: (q
- Submit the required fee set forth in Section 1175,100.
 is the responsibility of each licensee to notify the Department constitute an excuse for failure to pay any change of address. Failure to receive a renewal form from renewal fee or to renew a license. Department shall not

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Section 1175.230 Restoration - Barber

- A person applying for restoration of his/her license as a barber which has been expired for less than 5 years shall submit an application on forms provided by the Department and Si0 plus payment of lapsed reneval fees as set forth in Section 1175.130(a)(4). If restoring after active military service, the applicant snall submit a copy of the applicant's Honorable Discharge form (DD-214) and the current
- A person applying for restoration of his/her license as a barber which has been expired for 5 years or more shall submit an application on forms provided by the Department along with: renewal fee. â
 - Verification of employment as a barber ettesting--to-bawful practice in another jurisdiction within the 5 years preceding
 - incensure from the appropriate licensing authority in the jurisdiction of employment stating--that--said application for rescoration; preceived-wes-series of the Certification
- A complete work history showing all employment since the Illinois license lapsed;
- A completed Restoration Questionnaire;
- if restoring from active military service, a copy of The required fee set forth in Section 1175,100; or r
- An applicant for restoration who has not maintained a practice in applicant's DD-214 must-se-submitted and the current renewal fee. another jurisdiction shall also submit official transcripts snowing successful completion of a 250 hour refresher course from a licensed or successful completion of raction 1175.210 within 2 years cosmetcicgy achool or suc set forth in Section Darber or ô
- if an applicant takes and fails the examination, the license will not be restored until such time as he/she has successfully completed the application for restoration an-approved-barrer-schoot. examination. 히

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Section 1175.235 Restoration - Barber Teacher

A person applying for restoration of a license has certificate as a regretered barber teacher which has been expired for Less than 5 years the required fee. If restoring after active military service, the applicant shall submit a copy of the applicant's DD-214 and the shall file an application, on forms provided by the Department, current renewal fee. a)

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DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

- A person applying for restoration of a license are-certificate as a barber reacher which has been expired for 5 years or nore shall submit Verification of employment as a barber reacher attractor-to in another 'urisdiction within the 5 an application on forms provided by the Department, along with: Pears preceding application for restoration; おりのかりがれた!!! かけのたりがある!!! おおお女の内
 - Licensure from the appropriate licensing istisdiction of employment stattag-that-said 一つからかかからなながらない あのましかりかかりのない authority in the A certification
 - A complete work mistory snowing all employment since the Illinois
 - teacher license lapsed:
- 64 A-copy-cat-that apprinted and the constant of the copy of the c 5)6) The required fee set forth in Section 1275. 30: 307 A completed restoration questionnaire,
- C)84 An applicant for restoration who has not maintained an active cettcial transcripts snowing successful completion of a 250 nour parter teacher retresher course or successiul completion of the examination set for section it. "5.210 within 2 years after applying for restoranton of a copy teaching practice in another jurisdiction shall also sucmit applicant's DD-214 form and the current renewal fee. 5)79 If restoring after active military service,
 - be restored until such time as he/she has successfully completed the If an applicant rawes and fails the examination, the license will the Lineause Steaming and spand-barber-sences.

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SUBPART C: BARBER SCHOOL

Section 1175.300 School Approval Application

a carber school license shall submit a completed 1) A detailed floor plan consistent with the requirements of Section with the following information and Separtment .175.335 of onis Pages application to the An applicant for documentation:

- A copy of a lease snowing at least a leas raisent so the use of the socol site or destrification of ownersnip of the \$3.e a copy of owner is a corporation, proposed sencel site;
- If owner is a partnership, a listing of all partners and their Gurrent addresses; Incorporations
- A signed fire inspecifon report by the local fire inspection authority within the last 6 months giving approval for use of the site as a school;

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- financial statement prepared by a public accountant licensed lingle Public Accounting Act (225 EECS 450) and who not an employee of the school, indicating sufficient finances Veac: A--compresed fananetat--anacement-of-asserey-insotivetes-and-neo-verth-showing 88---844Genosi---84---848---948384--848384818---068944839---448--438 cretate the school for 1 information-te-true;
- A copy of the official student contract to be used by the school which shall be consistent with the requirements of Section
- A listing of all teachers, including their teacher license numbers, who will be in the school's employ; 1175.310 of this Part;
 - A copy of the curricula man wheen vill be followed: A copy of the school's official transcripe; and
- the school premises, prior to school approval, to determine compliance with this Suppart. School operations shall not commence nor shall the sector in any way solicit student enrollment, until the school has When the above items have been raceived, the Department shall inspect Approval received written notice of approval from the Department. The required fee set forth in Section 1275.130. G
 - sensois snail only offer instruction in barbering and barber will be granced if the requirements of this Subpart have been met. reacher aducation, Barber

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Section 1175.305 Physical Site Requirements

Space Requirements (m)

- 1) A school shall have a minimum of 1,000 square feet of work space square fact of work space is required for each additional student for a maximum of 25 students in the work area. An additional
- dispensary and laboratory area; work conference :coms, storage space, or classrooms, rest rooms, E attendance exceeds 25 at any given time. Work space shall include: locker space, space snail not include checkrooms, 2)
 - ocnes actes or dacidities for school administration. Two restrooms scall be proyided. 6 9
- Separate clock space small be provided which may be used both students and the public.
- Schools shall provide a student lounge area which shall be A public watting area must be provided. 6 9
 - All areas of the school shall be ventilated and lighted. Separated from the work area.

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DEPARTMENT OF PROFESSIONAL REGULATION

schbok-expands-to-meet-the-demands-of--increased--enrokimeney--it ****-oe-required-to-comply-with-this-subsections WOTICE OF PROPOSED AMENDMENT(S).

- Equipment Requirements All equipment shall be in working condition requirements for school equipment are: A -- school - shalk -- shal sufficient for the number of students enrolled. Soliowing-equipments
 - An entrance sign designating the name of the school. A school seal.
- A time clock or other equipment necessary for verification of Four (4) shamped chairs and 4 four shamped bowls with adequate attendance and nours earned.
 - 5 Clinic station snall have at least 3 feet per student hot and cold running vater.
- class including electrical outlets, mirror space, wet sanitizer Desk/table space and a chair for each student in the classroom. locker space for each student in attendance. and either a parber snair or styling onair.
 - Adequate covered disposal cans placed at convenient locations. One covered container for soiled towels for each 10 students clinical work area. 6
- Closed cabinets equipped for storing towels. Cabinets must have 10 (±0) dozen towels per 20 students in clinical work area. Storage space for 10)
- Clean outer garments must be worn at all times. No open toed ances snall be worn by students. Sanitary Requiations
 - All instruments shall be sanitized before and after use on patron.
 - Snampoo bowls must be sanitized after each use. Clean towels shall be used for each patron.
- After serving each patron is served, combs and brushes must be cleansed, then immersed in a disinfectant, then rinsed in water and dried. Comps and brushes shall be kept in a closed container Hands must be cleansed before and after serving each patron. apart from appliances that water have not been disinfected.
- The head rests of any chair shall be protected with a disposable Mon-disposable head coverings must be laundered and sanitized cover and changed after each parron. 8
 - litions, creams, and other cosmetics snall be kept applicators and removed from the container with a in clean, closed containers. All cosmetics shall be applied after each separate ise. ovders, Sanicary 6

Sanitary spacula.

knowingly permit any person suffering from a serious communicable disease as defined in 77 ill. Adm. Code 690 to work on the premises, or knowingly permit a student to serve a patron with a Owner, manager, teacher, or school administrator serious communicable diseass.

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13) An adequate supply of hot and cold running water shall be 12) The floors, walls and furniture shall be kept clean at all times.

Textbooks, Teaching Materials - Textbooks shall be provided for each available for school operation. student in attendance. ê

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r ratio shall not exceed a 25 to 1 ratio.	
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Section 1175.310 Student Contracts

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a) All student contracts used with students or prospective students by an	approved barber school shall be clearly labeled as a contract and
students	clearly
used with	shall be
contracts	per school
All student	approved barber school shall be clear
-	

include the following information: The name and address of the school;

The date the contract is signed;

The total cost of the course of instruction including any charges the school for tuition, books, materials, supplies; and made by

A clear and conspicuous statement that the contract is a legally binding instrument when signed by the student and accepted by the other expenses: schools Ç

to him or her by the transferee as by the transferor \underline{j}_T . The contents of the following notice, in at least 10 point boid that if an approved barber school transfers any student contract or interest in the contract to another party, the student shall have the same rights afforded A clear and conspicuous statement 2 (9

"NOTICE TO THE STUDENT"

"Do not sign this contract before you read it or if it contains You are entitled to an exact copy of the contract you sign. ". and any blank spaces.

A clear and concise statement of the school's refund policy.

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The school shall comply with all applicable requirements of the Retail

No student contract shall contain a wage assignment provision or a confession of judgment slause. ô

Any provision in a scudent contract that purports to waite the alwest? in tight to a ssert against the school, or any ssignee, any distance described at sing under the contract shall be void. ô

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NOTICE OF PROPOSED AMENDMENT(S)

Section 1175.320 Recordkeeping - Transcripts

Each school shall provide an official transcript showing the entire course work of each student. The official transcript shall contain					4) Signature exgreture of owner, registrar or director of the
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00,00	0110	Scho	Scho:	School senser license number:	Sign.
ourse	the following information:	1) School senceits name and address;	2) School semeet seal:	3)	7
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tudent's student's name, addressy and social security number; ictual accusa dates student attended:

any transfer hours citing the name and address of school transferred from, subject areas, nours earned+ and Subject subject areas, hours earnedy and grades received;

Final Strat examination grades; and tecelved:

official transcript and school records for each student shall be permanently maintained by the school in the following manner: Graduation seaduanten date. The â

If maintained on the school premises, they shall be maintained in a locked, <u>firempesistant</u> fareproef capinet. If official transcripts are raintained on a computer system, history tages or discs of all official records must be stored in a locked, ing-resistant freeproof cacinet. if records cannot be maintained on one premises in locked lire-resistant étrepreef capinets, duplicate student records, including the official transcripts, shall be maintained at a Such records shall be accessible to Department officials for sepanate location which snall be hade known to the Department.

A copy of the transcript shall be given to the student upon graduation permanent exit from the school provided the student has met all financial obligations of set-forth-in the student contract as set forth in Section 1175.310. inspection.

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Section 1175.325 Recordkeeping - Hours Barned

a) A complete and accurate record of hours of attendance for each student

NOTICE OF PROPOSED AMENDMENT(S)

- card of another student. If a time clock is not used, there shall be If a time clock is used, each student shall punch his/her own time No student, teacher; or any other person shall punch the time another veriflable method used by the school to record student hours. The records must be in a form that which allows the student to receive a written report of hours earned. This written report of hours earned be provided to the student on a monthly basis and snall be must be recorded and maintained by the school. placed on a sumulative record by the school. card. shal! (q
- Credit Ear house actived away from school premises snall be awarded object for surface or supervised by a licensed instrucery. Credit hours for pussive actively may include workshope, educational programs. films, and demonstrations. ô
 - Hours earned away from the school premises shall be recorded on school These forms snall include: the school seal, name of attended, signature of student, event or program attended, date cime forms. ĝ,
- Instructors shall review the hours earned by each student monthly. Each month the instructor shall issue a signed monthly report to the student, signature of supervising+ licensed instructor. 6
 - Time cards may be destroyed upon the student's permanent exit from the school and after all hours earned are recorded on the official student snowing the actual number of hours earned by the student.
- A licensed instructor shall supervise all classroom and practical study. No credit snall be given for unsupervised soudy. An hour is not less than 50 nor more than 60 minutes of instruction. 66

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Section 1175.330 Curriculum Requirements - Barber

d) Dach incersed barrer school shall provide a curriculum of a minimum of 1500 a) # + 150 hours of classroom instruction in general theory which shall be hours as follows:

divided into specific subject areas as specified in subsection (b) (8)

blat ilso hours shall be at the discretion of the instructor based on the institutions stallarion of the individual student's needs. However, for taining shall pover, at least, the subject area of the control of the forther area.

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REPARTMENT OF PROFESSIONAL REGULATION

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A上上--existing--schools--have--one-year-from-the-effective-date-of-the Parte-to-to-apayivy-444th-450-146gti-tementer-of-thi-b-Section-÷

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Section 1175.335 Curriculum Requirements - Barber Teacher

- Each licensed barber school that which provides teacher training shall which includes a minimum of 1000 hours. This curriculum shall contain the following subject areas: provide a curriculum chat
 - Practice of barcering;
- Methods of teaching Feaching; and Theory of parbering;
- A minimum of 100 fours in each subject area shall be required. The remaining 600 nours shall be at the discretion of the instructor based on the instructor's evaluation of the individual student's needs. School management Management. a
- be assed 1900 2 years of practical experience for a barber and small consist of a minimum of 50 hours in each of the subject areas in The approved curriculum for a 500 nour Teacher Training Course snall subsection (a) above. The remaining 300 hours shall be at the the instructor based on the instructor's evaluation of the individual student's needs. discretion ÷

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Section 1175.340 Final Examination

- a) A school shall require each candidate for graduation to pass a final examination char tests which enablates the student's cheoretical and practical knowledge of the curriculum studied.
 - The practical examination shall test the candidate's skills Rain near cutting following areas:
- Sanitation sentestion; and Shaving snaveng.
- The examination small be administered by the uniform application of standard performance criteria established by the school for each skill area shall be area. delineated in the examination records as specified in subsection (h),

ILLINOIS REGISTER

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

- or greater shall be required on both the The school shall allow each candidate for graduation at least 3 three theoretical and practical portions of the final examination. A passing score of 75 ç 6
 - the final Ç The Department may monitor the administration attempts to pass the final exam. examination:
- As as a result of a complaint received;
- For for random sampling;
- When when the failure rate on the licensure examination for To to collect data; and/or
- The Department shall maintain records of each school's graduate failure rate on the licensing examination. The records shall reflect shall review the records on an annual basis to identify those approved schools that which have an average annual failure rate greater than 25%. An average annual failure rate greater than 25% is grounds for school disapproval. The -- fatet-- annual -- review-ef-one-records-shark The Department only first examination accempts for each graduate. school graduates is greater than 25%. œ
- The school shall maintain records of the final examination for a period of no less than 5 years in the manner prescribed in Section commence-one-year-frem-the-effective-date-of-this-Part-
 - 1175.320 of this Part. These records snail include:

 1) A m copy of the final examination administered; and
 2) \$\frac{3acg}{3acg} \circ \text{acd} \text{student's examination grades.}

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Section 1175.345 Change of Ownership

- within 5 working days from the date title to the school is When the ownership of an approved school changes, the new owner shall, transferred, mail to the Department the following:
- A signed and completed school application;
- A floor plan if any expansion is to be done by the new owner; A copy of a lease agreement showing at least a l year commitment or certification of school site ownership;
- A copy of the student contract that which will be utilized by the ##--owner--ts--a--atrporationy--a copy of the Articles of new Daner: 7
 - ##-owner-to-a-partnersnipy-a listing of all partners and their incorporation, if the twner is a corporation;
- A signed inspection report by the local fire inspection authority addresses, if the owner is a partnership; 5
- by a licensed public within 6 months of application approving the school site; A certified financial statement prepared
- accountant who is not an employee of the school, indicating sufficient finances exist to operate the school for one full

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

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- If a name change is to also occur, the new owner must submit a sample of the new school seal and a proto of the new school sign; for-1-years
- Once the above trems have been received, one Department shall conduct inspection prior to approval of the onange of ownership. Approval will be granted if the requirements of Sucpart C have been mer. 10) The required fee set forth in Section 1175.100.
- If the new owner fails to submit a new application, or if the Department does not approve the school, the school snail remain closed until final Department approval is received. Û

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Section 1175.350 Change of Location

- When the location of an approved school is changed, the school cwher shall submit to the Department the following: a)
 - 1) Written notice to the Department at least 30 days in advance of A signed and completed school application; the school site change;
- A copy of a lease agreement showing at least a liche year commitment or certification of ownership of the school site; A signed inspection report by the local fire inspection authority A floor plans
- within 6 montes of application approving the site; and,
 f) The required fee <u>set_form_in_ascriton_155.100.</u>
 Once the above terms have been received, the Department shall inspect 9
- the premises to determine compliance with this Part. School operations shall not commence at the new location until the owners have received written notice of approval from the Department. Approval will be granted if the requirements of Subpart 3 have been If the change of location is due to natural destruction of the ô
 - original premises, a temporary site may be used to reach theory classes only.
- 1) The temporary side must be inspecied prior to its use and must possess light and ventilation, tables and chairs for the number of students in a classroom, and must be olean.
- The Semporary side may be used for a period of 2 months. The 2 Good cause month period can be extended for good cause. Good caus includes, but is not limited to unappose the delays to take attangements, or delays equipment delivery.
- If the site is not approved, the school shall not solicit new students G

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for this location until the school has been approved.

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Section 1175.360 Expansion

- Written notice shall be given to the Department 30 days prior to any expansion of an approved sencol. 9
- When the expansion will result in an off-site classroom location, a completed \underline{school} application must be submitted along with: 1) A detailed floor plan;
 - A copy of a lease snowing at least a 1 year commitment to the use
- fire inspection authority within the last 6 months giving approval for use of the of the site or certification of constant of the proposed site; A signed fire inspection report from the local
- A statement from the school owner outlining the purpose of the Site as an off-site classroom location; off-site classricm location: 7
- A listing of any and ail additional teachers who will be added to the teaching staff as a result of the expansion: (9
 - A certified financial statement prepared by a licensed public Zesti sid A--densardesh-setseend-off-sessens-iktsbibettes-and-nes 电关环电影性电影社上电影社会电影,电影时,电影电影电影,电子和电影关心,电影的工程与电视和电影上,以该可能是大量的社会关于最后的意义。 Who is not an entire some sense is the sonoil for one fig. sufficient finances exist to operate the school
 - の第一ののなけてもあるななななのは、このでしょうしゅうとのななななななない。あってのななかないのは、サインのでしたがあっているというというとしているというというというというというというというというという An off-site classroom location is defined as a separate The regulred fee set forth on Section 11:5,100.
- which--is iccated vithin 5 miles of the main school site; which not be operated at an off-site classroom may establish only one off-site classroom All identifying signs and materials must reflect the name serves to provide adequate space in which to train an overflow cinic may A school of the main school. students. location. location. ŧ
- completed <u>school</u> application scall be submitted along with: A & detailed floor plans

When an increased expansion is to accommodate an increased enrollment, a

- A & statement from the school owner outlining the purpose of the exparsion;
- A m listing of any and all additional ceachers who will be added to the teaching scaff as a result of the expansion; and
- The nee raquived inspection dee.
 Upon receipt of the above items, ine Department shall inspect the not be used until such inspection has occurred and the owner has received written notification if approval from the Department Approval will be granted if all of the requirements of Subpart C have expansion site to determine compliance with this Part. The site shall ô

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

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Section 1175.370 Withdrawal of Approval The Department

- may withdraw, suspend or place on probation, pursuant to 68 Ill. Adm. Code 1110, the approval of a school of barbering when the quality of the program has been affected by any of the following causes:
 - Gross or repeated viclations of any provisions of the Act or this
- Fraud or dishonesty in furnishing transcripts or documentation for evaluation of the school; 5)
 - Railure to meet the criteria for school approval in Section 175.300; 3
- Failure to administer the final examination as specified in this Failure to maintain final examination grades for each student and 7 ŝ
- the examination administered by the school as Fraud or dishonesty in providing transcripts to students; specified in this Part; a master
 - Failure to provide transcripts to students who have fulfilled all obligations under Section 1175.310; 8
- A finding by the U.S. Office of Education or Illinois State misappropriated or in obtaining such monies by providing fraudulent or untruthful information, or school has nisused grant or loan monies or has aided Scholarship Commission that
 - Any other violations of the Act or this Part. Performance Record on Licensing Examination 9
- When a school's graduates have a 25% or greater failure rate on the licensing examination, Department approval of a school snall be reviewed pursuant to Section 1175,300.
- of oy a school's graduates on the licensing examination as compared with the statewide performance record shall be considered by the Department when reviewing Department approval of a school. The performance record
 - Department shall give written notice and a hearing pursuant to 68 Ill. Adm. Code 1110 when Department approval of a scnool is being reviewed.

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SUBPART D: COSMETOLOGY

Section 1175.400 Examination - Cosmetology

NOTICE OF PROPOSED AMENDMENT(S)

Eligibility.

a)

3-2(a), $(b)_T$ and (c) or 3-3(a), $(b)_T$ and (c) of the Act prior to filling an application for the Department authorized cosmetology An applicant's training must be received from a school of examination.

Each applicant must meet the requirements in either Section

- consciousy approved by the Department that which meets the requirements set ofth in Japans of this Part.
 Application. Sach applicant small file an application for examination, on forms provided by the Department, at least 15 days â
 - An official transcript showing successful completion of the required training outlined in Section 3-2(c) or 3-3(c) of the Act: official transcripts showing successful completion of remedial training when required by Section 1175.110(c) 11757415 tay-and-tby of this Part and a passing grade on the final examination administered by the school as set forth in Section prior to an examination date. The application shall include:
- A request, if desired, to take the written examination in the Proof of any name changs (i.e., marriage license, divorce decree, Spanish language: 3
- affidavity or court order) if name is other than that shown on any documents submitted;
 - A complete tork history since graduation from cosmetology school; The required examination fee.

(Source: Amended

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Section 1175,405 Examination - Cosmetology Teacher

- Eligibility, Each applicant must meet the requirements in Section 3-4(a), (b), (c), (d), and (e) of the Act prior to
- application for the cosmetology teacher examination. Application. Each applicant shall file an application, on forms provided by the Department, at least 45 days prior to an examination The application snail include: Application. date. ã
 - Proof of any name nampe (i.e., marriage license, divorce decree, affidavit, or journ order) if name is other than that shown on
 - The required examination fee: any document sucmitted; 3 3
- cosmetology showing successful completion of 500 hours of teacher training as outlined in Section 1175.535 of this Part and 2 two employment verification forms showing at least 2 years of practical experience as a registered A) An official transcript from an approved Either:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

- An official transcript from an approved school of cosmetology (see Subpart E) showing successful completion of 1000 hours of teacher training as outlined in Section transcript from an approved school 1175.525 of onis Partg = cosmetologist; or official
 - 4) A complete work history since graduation from cosmetology school; 5) A copy of the applicant's current Illinois cosmerclogy license.

effective Reg. 111. Source: Amended

Section 1175.410 Examination Requirements

- Department or its designated testing service form-each-deemsure entropy and shall cover subject marter as set forth in Section 3-6 of Examinations A-separate--examenation shall be administered by the
 - the passing grade on each examination is 75. Retakes a ô
- A cosmetology Am applicant who fails to pass a <u>chied</u> second examination must submit an official transcript from a licensed an 250 nour refresher course prior to taking the examination a SOURTER されたがは、ここのの、 十年以上上を参加した金十年代の10日-たらは十年を与けるものではののははのをサータの POTENTIAL - MODEL - MODEL - MODEL - MODEL - MARCH - MARCH - MARCH - MODEL - MARCH - MA approved cosmetology school snowing successful completion
- A Commerciory reserver amplicant who fails to make a third exemination must summe an official transcript from a tonescal commercially softwish transcribing successful nomination of 00 must and additional study in teacning methodology and educational 7

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- showing successful repetition of the entire course of training sucmit an cfficial transcript from an approved tesmetalogy school DSYCHOLOGY DESCRIBE TO TAKING THE SYMMINETION BE SOLETH SITTE.

 3) 3) Upon failing the COUETH SEETH SYMMINETION ON Applicant prior to taking the examination a fifth state time.
 - 4)39 For purposes of the examination retakes, the 2,250 sexth attempt 5) 47 An applicant, shail take a written request for an examination shall count as the first.
- retake at least is days in advance of the examination date. Such a request rust include the required examination fee and official transcripts when direnge study is required in accordance with subsections (1) and (3) above.

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Section 1175.415 Application for Licensure

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

- Each applicant shall submit to the Department:

 a) A signed and completed licensure application which the applicant
- receive with the notification of successful completion of the examination; the parameter of the parameter of
 - affidavity or court order) if different from that shown on pre-printed licenses application; and the required fee sectoral his Section 1,175,100.
 - (Source: Amended at 20 III. Reg.

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Section 1175.420 Endorsement

- An applicant who is currently licensed as a cosmetologist in another jurisdiction and who is seeing license in lilinos by endogeners hall file an application, on fores provided by the Department, which
 - shall include:

 1) A certification from the state of original licensure stating:
- A) The names of cosmercing the constraint inchange is saking:
- All by A Diece description of any licensure examination taken and BL 69 Whether the applicant's file contains any record of
 - - time the applicant was cignature of the consule at the constituent of current licensed;
- licensured of the statement of Smployment forms showing at least 3 years of lawful practice in another jurisdiction its.
 - A) The the jurisdiction of original licensure does not require a licensing examination or has not provided an examination score; or
- B) The first spilicant is applying under Section 3-8:e9-or-2-4:e9-of the Applying all employment since graduation 5) A complete or tistory abouting all employment since graduation
- from cosmetolicy school to present;

 6) Proof any name change (i.e. maridge license, divorce decree, affolded/is/is/or outrocker); have is other than that shown on
 - Submitted attached drouments;
 7) The required fee Beth Sprin 5 Section 1175.130; and
 8) A CODY of the literation are manigual.
- 8) A copy of the licensing act applicable on the date of original licensing above about the despitionary of licensine E requested by the Department in the application review. The Department will make such a request if the application materials are incomplete.

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DEPARTMENT OF PROFESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

- b and applicant to is currently licensed as a commerciology teacher in another jurisdiction and the site of the second se
 - A) The number of commercing reaches in a local most seat with the factoristic on of any licensure examination taken and the grades received, and,
- Define grades recorded and,

 Define grades recorded and,

 Define grades recorded and states or pendings any record of disciplinary action taxen or pendings.

 Official transcripes from the school; preveded by the applicant showing the courses completed and the nouse seceived butth in
 - school seal affixed or a verification from the ilensity almost you commune of house regulated for intensity or the number of house regulated for intensity or the time the applicator was originally licensed.

 3. Obstification of oursent licensite IV other than original intensity or the number of the number of
 - 4) Two 'Nerification of Employment forms shall be summitted by the applicant who completed at least 500 hours of reacher staining but less than 1000 hours, A commerciesy seather applicant shall be the two many overify 2 years of Landing practice as a commercial progression of the first shall practice as a commercial practice as a commercial practice.
- 5) If the applicant is applying on the basis of 3 years of lawful greaties. Or complete children of amplications of amplications forms snowing at least 3 verse of Lawful profitice as a commencingly resonant of the A complete work nistory showing all employment since graduation
- from basic cosmetology school to present;
 2067Ecod, of man change (i.e., askrigge license, divorce decree,
 and of the document order) if name is other than that shown on
 any of the document engines in other than that shown on
- any of the documents submitted;
 - 6) The required fee set Forth in Section 1175.100; and 9) A conv of the liens and any and set and set
- 9) A copy of the licensing act applicable on the date of original licensure and anolds the equirements for licensure if requested by the Department in the application review. The Department will sake such a request if the application materials are incomplete.
- An applicant for literatures as a consectionate to is incomed in another jurisdiction small be given 100 hours of estonational readily for every 100 hours of estonational readily expected to consectionate. The contain credit for work separation will read the containers of the separation of applicant on forms provided by the Department in support of the work expectation. A provided by the learnest in support of the work expectation. A provided by the learnest in support of the work expectation. A provided by the learnest in support of the work expectation.
 - d) Am applicant applying for licensure as a cosmettlogist or occametalogy teacher on the obsist or deflorement with man previously failed the licensure examination in illinois shall not be approved for licensure on the basis of endorsement unless and until Neishe provides

NOTICE OF PROPOSED AMENDMENT(S)

licensure examination and fulfills the requirements set forth in Section $1.15.410(\underline{c})$ 1275-228(e). The successful completion of the substantially equivalent examination and fulfillment of applicable of successful completion of a substantially equivalent requalification requirements must occur after the most recently failed Section 1175.410(c) ±±75-228(e). examination attempt in Illinois,

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Section 1175.425 Renewals

- Cosmetology teacner and cosmetology school licenses shall expire Every license issued under the Act shall expire as follows: a)
- Cosmetologist Cosmetologists licenses shall expire on September 30 of each odd numbered year. A prerenewal period is the on September 33 of each even numbered year.
- The holder of a ligense certificate--of--registration nay renew license such -- tertificate during the month preceding its year of cenewal. 3

twensy-four-- 24 month period preceding September 30th in the

- Applicants for renewal shall: expiration jate. ç Q
- Return a completed renewal application.
- Cosmetologist Cosmetology -- Certify on the renewal application to successful completion of a minimum of 14 20 hours of continuing education from a cosmetology sponsor registered with approved-by the Department, in accordance with Section 1175.1200 through of this Part, within the 2 years prior to the expiration late of the license, if renewing a cosmetology license.
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- 1)B+ A renewal applicant is not required to comply with continuing education for the first renewal after issuance of hours-of-continuing-educationoriginal license.
 - require additional evidence demonstrating compliance with the CE requirements (i.e., certificate of attendance or certificate of completion). It is the responsibility of each renewal applicant to retain or be required in the context of the compliance. such otherwise produce evidence of Department's random audit. 3)et the Department may shall
- Cosmetokogists wno akso hokd a cosmetokogy - teacher - kicense may --- erect-to-cotain-their-dontinuing-education-hours-from-a ÷

DEPARTMENT OF PROPESSIONAL REGULATION

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cosmettokogy-teneher-contanting-education-sponsor-approved-by ene - Bepartment-in-in-accordance-xith-Section-riths-one-net-Partt----子れのなる--たらなななアーユモー-の即pitとのはーたのがなけらーたちの一部は上手を上上来のたーの手 atibaettios-Résy--above---assone--akso---sed---sed---sed-----中央主命を行いまるコピーの第一を含まったののはのいのはツーナルのはいのでしたのはなりのはよりは一手がなる事をよう。 するななからののカラー・ショーの自己ななななののマーセのカーはのなから、カルル・ウルー・カルコののカー・自ななかのの 下ののかけるないかないのかのではいるとのとなっていないないのかっちなり

- Cosmetclogy Teacher -- Certify on the renewal application to requatered with approved-by one Department, in accordance with Section 1175.1230 k475+589 of this Part, within the 2 years prior successful completion of a minimum of 10 hours of continuing education from a coemetobogy-teacher-continuang-aducation sponsor Section 1275.4230 k##5##89 of chis Part, within the 2 to renewal if renewing a cosmerblogy teacher license. 3
 - 4999-1-1980-1-1884-1984-1984-14964-1496-1498-1498-1-14986-1-14984 小村大のだめたーー人がおかり - 1 からの - 1 からのからななななりのであるとなるないのです。 またかのに - 1 大小の一人小村の tours-of-continuing-education-
- from a sponsor approved in accordance with Section 175.230. Ten 10, of those hours shall be in the offective with the 1998 renewal, a cosmetblogy reacher will be required to complete 24 nours of continuing education ollowing areas: a
 - Jeaching methodology;
- Other teaching related courses. Classroom management; or Squeational psychology:
- continuing education for the first renewal after issuance of comply applicant is not required to original license. A renewal 9
- The Department may require additional evidence demonstrating compliance with the continuing education requirements (i.e., certificate of attendance or certificate of completion). It is the responsibility of each renewal applicant to retain or evidence of such compliance. context t he evidence shall be required in Department's random audit. produce otherwise Û
 - is the responsibility of each licensee to notify the Failure to receive a renewal form from the Department shall not constitute an excuse Submit the required fee set forth in Section 1175,100. Department of any change of address.
- effective for failure to pay the renewal fee or to renew a license. Red. at Source: Amended

DEPARTMENT OF PROPESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

A person applying for restoration of a his license as a cosmetologist that waten has been expired or been on inactive status for less than 5 years shall submit an application on forms provided by the Department; (a)

of continuing education earred within the 2 years immediately 22, pay the required fee set forth in Section 1175.100; and Provide provide evidence of successful completion of 14 20 preceding the restoration.

shall submit a copy of the applicant's Honorable Discharge form If restoring after active military service, the applicant (DD-214) and the current renewal fee. 3

A person applying for restoration of a new license as a cosmetologist that wnten has been expired or been on inactive status for 5 years or snail submit an application on forms provided by the Department í,

Verification of employment as a cosmetologist actesting-te-iawful 5 years preceding prected in another jurisdiction within the application for restoration;

licensure from the apprepriate licensing authoring in the jurisdiction of employment stating that said practice was authorized; Certification

A complete work asstory snowing all employment since the Illinois icense lapsed or was placed on inactive status;

Evidence of successful completion of 14 20 hours of continuing education earned within the 2 years immediately restoration if restoring a cosmetology license; and A completed Restoration Questionnaire;

A) te--restoring--from--active--militeany--servicer-a copy of the applicant's DD-214 form must-be-submitted and the current renewal The required fee set forth in Section 1175,100; orfee, if restoring from active military service.

An applicant for restoration who has not maintained a practice in jurisdiction shall also submit official transcripts snowing successful completion of a 250 hour refresher course from a licensed an-approyed cosmetology or barber school or passage of the examination set forth in Section 11.5.410 within two years of application for completes this regresher course shall not be required to complete 14 29 nours of continuing set forth in Section 11-5.410 within the restoration. A cosmetcingy applicant who another

be restored intil such time as ne'she has successfully completed the If an applicant takes and fails one examination, the license will examination. education. 급

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Section 1175.435 Restoration - Cosmetology Teacher

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DEPARTMENT OF PROFESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

- applying for restoration of a hts certificate as a licensed inactive status for less than 5 years shall file an application, on forms provided by the Department. An applicant shall also submit the required fee. If restoring after active military service, an applicant shall submit a copy of his/heg DD-214 and the current registered cosmetology teacher that water has been expired or been renewal fee.
- A person applying for restoration of a license his-certificate as a shail submit an application on forms provided by the Department, along cosmetdingy teacher that which has been expired for 5 years or G
- Verification verification-of employment as a cosmetology detesting-to-iawitai-teaching-practice in anciner
- Licensuce ancerteriscation from the appropriate licensing authority in the jurisdiction of employment statchs within the 5 years preceding application for restoration; that-said-practice-was-authorated: Certification
- education earned within the 2 years (mmediately preceding the restoring licenses prior to September 23, 1988, Sfective September 20, 1998, any Evidence of successful completion of 10 hours of continuing for 5 years or more shall submit evidence of 24 nours or continuing education, specified in Section 3-7 of the Act, earned one restoring a cosmetolody teacher license that has been expired =

within the 2 years immediately preceding the restoration; A & complete work history anowing all employment since 1)37 A a complete work

Illinois teacher license lapsed;

5)4+ A a completed restoration questionnaire;

of the The the required fee set forth in Section 1175.100; or If restoring after active military service, a copy

Q187 An applicant for restoration who has not maintained an active teaching practice in another jurisdiction snall submit official rranscripts showing successful completion of a 250 hour cosmetology 「こののこのの、「今年の第一年はつからなりのなりのできます」というのない。「ありののは、「おりからない」というのです。「あります」というのではなからので seacher refresher course or passage of the examination set forth Section 1175.410 within 2 years from application for restoration complete a 250 nour refresher applicant's DD-214 formy and the current renewal fee. Those and successfully

If an applicant taxes and falls the examination, the intense will nobe testored until such time as he she has successfully completed to restoring a license. examination

required to complete continuing education before

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snall not

Reg. 12.00 (Source: Amended

NOTICE OF PROPOSED AMENDMENT(S)

SUBPART E: COSMETOLOGY SCHOOLS Section 1175.500 School Approval Application

- An applicant for a cosmetology school license shall submit a completed application to the Department with the following information and A a detailed floor plan consistent with the requirements of Section 1175.505 of this Part;
 - of the school site or certification of ownership of the A & copy of a lease snowing at least a l one year commitment
- If or owner is a corporation, a copy of the Articles Incorporation:
 - If te owner is a partnership, a listing of all partners and their A a signed live inspection report from the local fire inspection current addresses;
- authorizy virsin 5 months of filing an application giving approval Tor ise of the site as a school; | カリン | ローウリコリントのコールトコロロンタン・ロン・ロンドー・ロー・日本のロット・日本のロット・日本のサートとなった。 ないらーニコのセーーイのなりは、40回のはななは一つなけのでものできますです。その一つりのはなかの一つれの一ののこののか A financial statement prepared by a public accountant licensed by ne Department gursuant to the Illinois Public Accounting Act and the school for at least indicating sur the school, no is not an amployee of the school
 - A c copy of the official student contract to be used by the school which shall be consistent with the requirements of Section ののなりながけながらしないませっておきしたかからのは最も上の語した他したがはあり
 - A a listing of all teachers, including their teacher numbers, who will be in the school's employ: 1175.510 of this Part;

 - Δ 0 copy of the curricula that which will be followed, Δ 0 copy of the school's official transcript, and
- addition to cosmetology shall comply with Section 1175.805 and to offer mail technology and/or esthetics Ine the required fee set forth in Section 4-1.5(d) of the Act. New schools that wish
- When one above items have been received, the Department shall inspect with inis Subpart. School operations shall not commence nor shall the school in any way solicit student enrollment, until the school has the state premises, prior to school approval, to determine compliance of approval from the Department. Approval will be granted if ail of the requirements of Subpart E have been met. Bosnetonongy-achoeks-anskh-chk-chk-y-offer-bnstructten-bn--bn--bn--bnnotice received written (4() ++

Reg. 20 10 10 (Source: Amended

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DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

Section 1175.505 Physical Site Requirements

Space Requirements (e)

- 1) A school shall nave a minimum of 1,000 square feet of work space for a maximum of 20 students. An additional 30 49 square feet of work space is required for each additional student if attendance on the clinic floor exceeds 10 at any given time.
 - Work space snall include: dispensary and laboratory area, Worky Mork apace snall not include: classrooms, factal areas, rest rooms, nalls, checkrooms, locker space, conference rooms, storage space or other areas or facilities for school administration.
 - Separate restrooms A--separate---restroom for males and fenales shall be brovided.
- A public waiting area must be provided and separated from the Cloak Separate-croak space separate from the work space shall provided watch may be used both by students and the public.
 - Schools shail provide a student lounge area which shall separated from the work area. work area.
- Licensed cosmercingy schools will not be required to comply with these requirements. However, if an existing licensed school All areas of the school shall be ventilated and Lighted.
- Equipment Requirements All equipment shall be in working condition expands, it will be required to comply with subsection (a) above. requirements for school equipment are: A--school--shake-tae sufficient for the number of students enrolled.
 - An entrance sign designating the name of the school. Forthowing-entropents

 - A school seal.
- A time clock or other equipment necessary for verification of attendance and hours earned.
- Two (2) facial chairs to be placed in an enclosed or screened One (11) factal supply cabinet containing astringents, area. Facial chairs shall only be used for facials.
 - (4) shampoo chairs and 4 four shampoo cowis with creams, makeup and orner necessary supplies for facials. Pour (9
 - One (1) hood main fiyer for every 5.8 clinic stations. Clinic station small have at least 3 feet per student not and cold running water.
- class including electrical outlets, mirror space, wet sanitizer and either a carber chair or styling chair.
 - Deskrtable space and a chair for each student in the classroom. Locker space for each student in attendance.
- Adequate number of covered disposal cans placed at convenient locations.
- 12) One (1) covered container for soiled towels for each 10 students

MOTICE OF PROPOSED AMENDMENT(S)

clinical work area.

- storage space for r 10+ dozen towels per 20 students in clinical Closed cabinets equipped for storing towels. Cabinets must 1) mannequin for each student in attendance.
- No open toed Clean outer garments must be worn at all times. Sanitary Regulations ô
- instruments shall be sanitized before and after use on each shoes shall se worn by students. patron.
 - Clean towels shall be used for each patron.
- Shampoo bowls must be sanitized after each use. **+**
- After serving each patron is served, combs and brushes must be cleansed, then immersed in a disinfectant, then rinsed in water and dried. Combs and brushes snall be kept in a closed container Hands must be cleansed before and after serving each patron.
- apart from appliances <u>near</u> when have not been disinfecred. The head rests of any chair snall be protected with a disposable cover and changed after each patron.
 - Non-disposable nead coverings must be laundered and sanitized in clean, closed containers. All cosmetics shall be applied by be kent All powders, lotions, creams, and other cosmetics shall after each separate use. 8
- knowingly permit any person suffering from a serious communicable disease as defined in 77 Ill. Adm. Code 690 to work on the sanitary applicators and removed from the container with a Camer, manager, teachery or school administrator shall premises, or knowingly permit a student to serve a patron with a Sanicary spattia.
 - No animals or pets, except seeing eye dogs, shall be permitted on serious communicable disease. school premises.
 - The floors, walls and furniture shall be kept clean at all times. 13) An adequate supply of hor and cold running water shall be available for school operation.
- Textbooks, Teaching Materials Textbooks shall be provided for each Teachers - The student, teacher ratio during clinical instruction shall not exceed a 20 to 1 rat.o. student in attendance. e

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- Section 1175.510 Enrollment Agreements and Refund Policies Student-Contracts al
- All licensed commerciary schools shall have encolvent agreements with hear to efforce many so Section 19-10 of the Act, schools commercial commercial schools shall impresent setup options around the setup of the Act and this fact of the Act and this fact of the Act and this fact of the Act and the Act and the Act and the Act and Act 9

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MOTICE OF PROPOSED AMENDMENT(S)

first day of class attendance, the school may retain no more than the application and registration fee, plus the cost of any books or materials which have been provided by the school and retained by the student Section [B-13(b)). The cost of books for purjoses of returns is the cost of the cost of the student, not the cost of the cost of the cost of the cost of the souldent, not

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5 5	25% to 49.9% 50% and over	9.0	20 H									lala					
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NOTICE OF PROPOSED AMENDMENT(S)

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Section 1175.520 Recordkeeping - Transcripts

- provide an official transcript showing the entire course work of each student. The official transcript shall contain Each school snall (40
 - School senceits name and address; the following informations
 - School seneet seal;
- of the owner, registrar or director of the School seneel license number; Signature signature 6 7
 - Student's student's name, addressy and social security number;
 - Actual server dates student attended;
- Any any transfer nours cuting the name and address of from, subject areas, hours earnedy and Subject subject areas, hours earnedy and grades received; transferred
 - Final frmek examination grades; and received;
- completed the program shall be permanently maintained by the school in The official transcript and school records for each student Graduation graduation date. 9
- If maintained on the school premises, they shall be maintained in If official transcripes are maintained on a computer system, history tapes or fire resistant fireproof cabinet. the following manner: Locked,
- If records cannot be maintained on the premises in locked fire duplicate student records, including the official transcripts, shall be maintained at a separate location which shall be made known to the Department. Such records shall be accessible to Department officials for discs of all official records must be stored in a locked, resistant frreprost cabinets, resistant frreproof cabinet.
 - An official transcript and school records for students who withdrew or 6
- dropped out of a program shall be maintained by the school for 7 years from the student's lites day of attendance at the school graduation or other permanent exit from the school provided the account acceptance acceptance of the carcinete acceptance research research research research research research research and the carcinete set forth in Section 2(19)-12 of the Los the transcript shall be given to the student dlet A copy

DEPARTMENT OF PROFESSIONAL REGULATION NOTICE OF PROPOSED AMENEMENT(S)

- 中华国家的《日本中一一十分一年的《中国的《日本》的《日本》的《日本》的《日本》,《日本》:《日本》:《日本》:《日本》:《日本》:《日本》:《日本》 おおよる一つなかない!――中午一十七年の一日のなななながまなからなっているのな!――なるののなくののは、これないないないない。 大学士--の大きの七十のは、一日のたちのかとの一日のおの子子--のはお前をも一の一日の日間の子を一一の七一一のことできます。 1-11-06-113012 ÷
- Red. 42 (Source: Amended

Section 1175.525 Recordkeeping - Hours Earned

- A complete and accurate record of hours of attendance for each student must be recorded and maintained by the school. (a
 - No student, reachery or any other person shall punch the time another verifiable method used by the school to record student nours. The records must be in a form that which allows the student to receive a written report of hours earned. This report of hours earned shall card of another student. If a time clock is not used, there shall If a time clock is used, each student shall punch his her be provided to the student on a monthly casis.
- Credit for nours earned away from the school premises shall be awarded only if srudents are supervised by a licensed instructor of by a outside study may include workshops, educational programs, films, and licensed cosmerologist in the case of an internship. Credit nours
 - demonstrations and integreship training in a registered salin.

 Figure seried away from the stood premises shall be recorded an achool sea, these forms shall includes the stood sea, name of sudden, event or program streaded, date actended, signature of student, signature of supervising, licensed instructor. ĝ
 - instructors shall review the hours earned by each student monthly. Each month the instructor shall issue a signed monthly report to the Pine cards may be destroyed upon the student's permanent exit from the student snowing the actual number of hours earned by the student. 9
- school and after all hours earned are recorded on the official An hour is not less than 50 not more than 50 minutes of instruction. A licensed instructor shall supervise all classroom and practical transcript.
- No credit snall be given for unsupervised ne successfully completed a combination of the 150 hours of to serve the public A cosmetology student is not permitted nstruction study. nstruction study.
 - requirements specified in Section 1175.530(a)(±) of this Part.

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TWENDERS (S)	Curriculum Requirements - Cosmetology
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	8
	Curricult
	Section 1175.530
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ach incensed cosmetology school shall provide a minimum of 1500 hours of ourse instruction as follows:	alt Basic Training Seneral-thesey - 150 hours of classroom instruction in general theory and practical application shall include which shall
shall	ical a
school Dws:	pract
ach lidensed cosmetology school ourse instruction as follows:	Sup And
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cols and cheir use.....±5-hours shampeo.....5-nours inderstanding chemicals and use..........25-nours Aggrene skin diseases and conditions. Appes of cair........ Saniteat.on....se-lears mum of se-dryrded-into the following subject areas:

electricity....-5-acuts ethics.....hd-sours nail technology esthet.cs

instruction, which shall be a combination of classroom instruction and hands on experience, shall be provided in the following subject areas; cnemical application Hair Treatment - 500199 hours blat Practical

hair coloring, tinting and bleaching permanent waving chemica, safety

Cl37 Hair styling_hair iressing - 475 ±98 hours of instruction in hair styling, which shall be a combination of classroom instruction and hands on experience, shall be provided in the following subject areas: shampooing, toning and rinsing hair and scalp conditioning

cutting

hair re_axing

application of electrical mechanical equipment thinning trimmind shaping curling

414 Shop management, sanitation and interpersonal relations - 200 100 hours of classroom instruction shall be provided in the following hair treatments marcell.ng

subject areas:

marketing and merchandising workers' compensation client relations bookkeeping abor av

emergency first aid

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pertinent state and local laws and rules right-to-know laws ousiness ethics

el5+ Esthetics - 85 -Factats-and-massage---50 hours of instruction shall personal grooming and hygiene electrical devices

Nail Technology - 55 hours of instruction shall be provided 35 hours be provided.

6) Jematning---required---hours---the---remaining---i008---hours--of のよっか! 当年文本の領す・事と主 - Set 25つ 63・c E - c E - c K E 主 A G V - R E E - C E - - A R E E - - A R E E - - A R E E - -*Anstruction-snaik-consist-of-of-coordinated-ciassrocm-and--practicak 1911年-会なた場のは別をおけるアー州のからを上上の日子子 expensence-as-ferkows+

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Internship Program is an optional part of the curriculum. chemical-sacety-and-trans-to-knoxy-50-Hours-of-ceisted-eiectives:

icensed cosmetology school may choose to set up an internship program and shall follow the guidelines set forth below. An internship program:

a

May ne substance.

In subsection (a) of this Section.

When war of the quericulum of a licensed cosmetology May be substituted for 150 hours of the 1500 hours set forth

school and shall be an organized preplanned training program Sanitation; safety and shop management; hair treatment; hail nair dressing; tecnnology: and estnetics under the direct supervision of in a registered salon. to allow a student to learn A student in the internship program: icensed cosmercipgist

A school may, newerer, set the average grade May participate in an internship program only after completing 750 hours if craining with a minimum average grade grade of 30. A school may, newever, set the average grade algher and set other standards that a student must meet to participate in the internship program.

May not be paid while participating in this internship program as it is a part of the cosmetology curriculum of the May not spend more than 150 hours in an internship program.

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- May work a maximum of 8 hours a day and shall be required to spend 1 day a week at the school. Shall be under the direct on site supervision of a licensed cosmetologist. Only 1 student shall be supervised by 1 6
- A licensed cosmetcingy school shall state clearly in the student contract that the school offers an internship program. Licensed cosmetologist. 33

The licensed cosmetology school shall enter into a contract with

the internship established by the school. The contract shall be signed by the student, the school and the licensed cosmerblogist. the student, the registered salon and licensed cosmetologist. The contract snail contain all the provisions set forth subsection (h)(2) of this Section and any other dequirements

Any party of the contract may seminate the contract at any time. Libt All existing achols are in any interpretable achols are in the seminate of this Section date of this Section.

effective Ill. Reg. 53 10 11 Source: Amended

Section 1175.535 Curriculum Requirements - Cosmetology Teacher

- An approved school that water intends to provide teacher training must utilize a reacher curriculum that which includes a minimum of 1000 hours as follows: (p
- subjects in the basic cosmetology curriculum in Section 1175.530 include the concepts that which are intended to be taught and the skills to be acquired during the various phases of basic 300 nours of Post-Graduate School Training which includes: all including theory and practice. Presentation of material must
- limited to, topics in educational objectives, student characteristics and development, the learning process and an evaluation of learning that water relates to teaching. This course shall be presented by a person qualified to teach of instruction educational psychology at the college level or a licensed wateh included the topics set forth above or an equivalent of cosmercingy teacher students and have completed a course in Educational Psychology at an accredited college or university wathin-the-five からいかから・・・大切のかけなる世界のなり、のだか・ロウ・パロのの小形なが・切りかられならなられ、大小のなななならになってななない。 20 nours of Educational Psychology which shall include, cosmetology teacher vno has completed a course program. These nours shall be wanved on behalf education.
- 20 nours of Teaching Methods (Theory) which shall include, but not be limited to, topics in individual differences in learning, learning performance, classroom management, student motivation lesson planning and design, lesson delivery, assessment of program. 3

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and classroom climate. This course shall be presented by a seacher who has completed a course of instruction that wheen nours shall be waived on behalf of cosmetology teacher students at an accredited college or university within--the--five--years berson qualified to instruct in Teaching Methods - Secondary sevel at a college or university or a licensed cosmetology sho have completed a course in Teaching Methods - Secondary Level included topics set forth above or an equivalent program.

- includes: preparation and organization of subject matter to be presented on a unit by unit basis; and presentation of subject demonstration, testing and assignments). Presentations must provide teaching objectives to be accomplished and correlate methods (lecture, hours of Application of Teaching Methods matter through application of varied brogram. 7
- 50 hours of Business Methods which include: Inventory, record keeping, intermewing, supplies, The Illinois Barber, Cosmetology and Esthetics Act of 1985 and 68 Ill. Adm. Code 1175. theoretical with practical application. 2
 - supervision of an Illinois licensed teacher. The student teacher theoretical and practical demonstrations to on-site 260 nours of Student Teaching under the students in the basic curriculum. shall present
- be based upon 2 years of practical experience and shall consist of the The approved curriculum for a 500 hour Teacher Training Course shall Training Curriculum outlined in Section 1175.535 with the exception of the 500 hours of Post-Graduate Training. Teacher G
 - Akk-exteting-sencois-nave-one-year-from-the--effective--date--of--this +

effective Reg. ac (Source: Amended

Section 1175.540 Final Examination

a)

examination that which shall test the student's theoretical and The practical examination snall test the candidate's skills in the practical knowledge of the curriculum studied. following areas: 9

A school shall require each candidate for graduation to pass a final

- Hair marr cutting
- Chemical enemittal permanent waving and relaxing; and Thermal spermes curl and blow drying;
 - Hair hear coloring and lightening2-
 - Estnerics: and
- examination shall be administered by the uniform application of Wail technology. The î

DEPARTMENT OF PROFESSIONAL REGULATION

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area. The standard performance criteria for each skill area shall be delineated in the examination records as specified in subsection (h), standard performance criteria established by the school for each skill

The school snall allow each candidate for graduation at least 3 three on both the theoretical and practical portions of the final examination. or greater shall be required A passing score of 75

ê (a

- The Department may monitor the administration of the final attempts to pass the rinal exam. examination:
 - As as a result of a complaint received;
 - For for random sampling;
- when the failure rate on the licensure examination for school graduates is greater than 25%. To to collect data; and/or
- The Department shall maintain records of each school's graduate failure tate on the licensing examination. The records shall reflect only first examination attempts for each graduate. The examination results shail not count toward the failure rate on the licensing examination of the student transfers to the school from a closed school with one-maif or more of the required hours of graduation. The C-Osed records-saskh-commence-one-year-from-the-effective-aste-of-thas-Part-6
- The school shail maintain records of the final examination for a period of no less than 5 years in the manner propertied in the no less than 5 years in the manner prescribed in Section A & copy of the final examination administered; and These records shall include: period of no less th 1175.520 of this Part.
 - Sach each student's examination grades. Reg. 20 40 (Source: Amended

effective

Section 1175.545 Change of Ownership

- When the ownership of an approved school changes, the new owner shall, to the school is within 5 working lays from the late ritle transferred, hail to the Department the following: (p
- An affidante stating that the contract is contingent on a If this is not provided, the school must close on the date of the transfer and certificate being issued to the new owner. remain closed until a new certificate is issued;
 - A floor plan drawn to scale if any expansion is to be done by the A signed and completed school application:
- A copy of a lease agreement showing at least a 1 year commitment 7
- new owner;

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A copy of the student contract that which will be utilized by the or pertification of school site ownership;

(9

- if owner is a corporation, a copy of the Articles of if owner is a partnership, a listing of all partners and their ncorporation;
 - addresses:
- A signed inspection report by the local fire inspection authority
 - A financial statement prepared by a public accountant licensed by the Department pursuant to the Illinois Public Accounting Act and who is not an employee of the school, indicating sufficient の代析とのありたり引から見かりとのかかの形が一様のとかなる形をおしなななかが、一様なりなななからしないないのである。 次のに当にODE #00000 - 1000 - vithin 6 months of application approving the sondol site; current finances exist to operate one school 6
- sample of the new school seal and a photo of the new school sign; If a name change is to also occur, the new owner must that-the-information-in-true; 6
- Once the above items have been received, the Department shall conduct an inspection prior to approval of the change ownership. Approval will be granted if all of the requirements of Subpart E have been met. 11) The required fee set forth in Section 1175,100. G Q

Reg. 111. 2.0 at (Source: Amended

Section 1175.550 Change of Location

- When the location of an approved school is changed, the school owner Written notice to the Department at least 30 days in advance of shall submit to the Department the following:
 - A signed and completed school application; the school site change; A floor plan;
- A copy of a lease agreement showing at least a lone year commitment or destification of ownership of school site:
- A signed inspection teport by the local fire inspection authority the above teems have been racelved, the Department shall inspect within 6 monens of application approving the site; and, the required 100 set forth in Section 1175.100. Once (q
 - the premises to determine compliance with this Part. School operations shall not commence at the new location nor may the school in any way solicit student enrollment until the owners have received written notice of approval from the Department. Approval will be granted if all of the equirements of Supparer; Sawe been mer. If the change of location is due to natural descretion of the

NOTICE OF PROPOSED AMENDMENT(S)

- The temporary site may be used for a period of 2 months. The 2 month period can be extended for good cause. Good cause includes, but is not limited to, unexpected delays in The temporary site must be inspected prior to its use and must possess light and ventilation, tables and chairs for the number of students in a classroom, and must be clean. 7 5)
- effective Reg. 111. 20 at (Source: Amended

construction, delays in lease arrangements, or

equipment delivery.

delays

Section 1175.560 Expansion

- Written notice shall be given to the Department 30 days prior to any a)
- When the expansion will result in an off-site classroom location, a completed school application must be submitted along with: expansion of an approved school. â
- A detailed floor plan drawn to scale;
 A copy of a lease showing at least a l year commitment to the use fire authority of the site or certification of cwnersnip of the proposed site; A signed fire inspection report from a local
 - within 6 months of application giving approval for use of the site as a classroom location:
- A listing of any and all additional teachers who will be added to A statement from the school owner outlining the purpose of the classroom location;
- A financial statement prepared by a public accountant licensed by the Deservant pursuant to the Tillnoss Public Accounting Act and who is not an employee of the school, indicating sufficient finances exist to operate the school for at least 3 months; and A the teaching staff as a result of the expansion;
 - anakk--reskent--the-com--the-compand-debite-inchastve-of-costs 本のなるのはののだが一切のトーならしかがりのかなしかし、中心に対するなが、しかし、ならしなったものに対するのだ。
- A school may establish only 1 one off-site classroom All identifying signs and materials must reflect the name An off-site classroom location is defined as a separate classroom that which is located within 5 miles of the main school site; and which serves to provide adequate space in which to train an overflow of students. A clinic ray not be operated at an off-site classroom The required fee set forth in Section 1175.100. location. A school may establish only location. 4
 - When an on-site expansion is to accommodate an increased enrollment, a completed school application shall be submitted along with: of the main school. Û
 - 1) A & detailed floor plan;

LLINOIS REGISTER

DEPARTMENT OF PROFESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

A a statement from the school owner outlining the purpose of the A a listing of any and all additional teachers who will be added expansion:

3)

- to the teaching staff as a result of the expansion; and The one required inspection fee.
- Upon receipt of the above items, the Department shall inspect the expansion site to determine compliance with this Part. The site shall not be used until such inspection has occurred and the owner has written notification of approval from the Department. Approval will be granted if all of the requirements of Subpart 2 have Deen met. received ô

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Section 1175.570 Withdrawal of Approval

- to 68 Ill. Adm. Code 1110, the approval of a school of cosmetology when the quality of the program has been affected by any of the The Department may withdraw, suspend or place on probation, following causes: (a)
 - Gross or repeated violations of any provisions of the Act or this
- Fraud or dishonesty in furnishing transcripts or documentation in Section Failure to meet the criteria for school approval for evaluation of the school:
- Failure to administer the final examination as specified in this 1175.500; Part; 7
- Failure to maintain final examination grades for each student and a master of the examination administered as specified in this
- Fraud or dishonesty in providing transcripts to students who have fulfilled all obligations under Section 1175.51027 Failure to provide transcripts to students;+
- A finding by the U.S Office of Education or Illinois State Scholarship Commission that a school has misappropriated or misused grant or loan monies or has sided in obtaining such
 - When a school's graduates have 25% or greater failure rate on the monies by providing fraudulent or untruthful information; or - Any other violations of the Act and this Part.
 Performance Record on Dicensing Examination â
 - licensing examination, Department approval of a school shall reviewed pursuant to Section 1175.500.
- licensing examination as compared with the state wide performance record snall be considered by the Department when reviewing The performance record of by a school's graduates on Department approval of a school.

DEPARTMENT OF PROFESSIONAL REGULATION

MOTICE OF PROPOSED AMENDMENT(S)

The Department shall give written notice and a hearing pursuant to 68 Ill. Adm. Code 1110 when Department approval of a school is being reviewed.

Ill. Reg. 20 40 (Source: Amended

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CONTINUING EDUCATION - COSMETOLOGY/COSMETOLOGY TEACHER SUBFART F:

Section 1175.600 Sponsor Approval (Repealed)

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DEPARTMENT OF PROPESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

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effective Reg. 12.00 Source: Repealed

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Section 1175.605 Department Supervision (Repealed)

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Section 1175.610 Credit Hours (Repealed)

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- Courses--complesed--se--s--university--er-college-shall-reserve-15-68 hour-os-sencel-create-awarded-40
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Section 1175.615 Waiver of Continuing Education Requirements (Repealed)

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DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

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- that-te-comply-view-the--continuing--citession--squipel-
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SUBPART G: ESTHETICS

Section 1175,700 Examination - Esthetics

- Eligibility. Each applicant must meet the following requirements:
 - Be at least 16 years of age.
- Graduste grescartes from an esthetios sersoom-apsroyed-av-Be a high school or its equivalent or be beyond the age Pursuant pursuant to Section 3A-2 of the Act: compulsory school attendance; and
- 750 hours in the study of esthetics extending over a period of not less than 18 seeks Department to ceach esthetics in accordance with Subpart Seperament or a cosmetology school approved by this Part, which includes
 - shail file an application examination, on forms provided by the Department, at least 45 prior to an examination date. The application small include: 5-menths not more than 4 consecutive 2 years. Each applicant 9
- forth in Section 1275.845 ###5#8# or official transcripts showing successful completion of remedial training (125 hour An official transcript showing successful completion of the required training outlined in subsection (a) above and a passing grade on the final examination administered by the sonool as set
- roof of any name change (1.e. marriage license, divorce lecree, refresher course) when required by Section 3A-2 of the Act; affidavit or court order) if different than shown
- A complete work nistory since graduation from an esthetics school or a cosmetology songol approved to teach esthetics; and
 - The required fee set forth in Section 1175.100.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

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Section 1175.705 Examination - Esthetics Teacher

- the following requirements prior to filing an application for meet Eligibility. Each applicant must pursuant to Section 3A-3 of the Act the esthetics teacher examination. a)
- Be_at_leas: 19 years of age, Be_a_cign_school_graduate_greduation=from=high-school or its equivalents
 - 3016 hord a current license certificate--of--registration registered cosmerciogist or esthetician; and Either:
- Complete compresson -- of 500 hours of teacher training in an Approved cosmerpingy or esthetics school and had 2 years of experience as a licensed ocsmetologist or esthetician within 5 years preceding application; or
- Complete '50 completion-of-2898 nours of teacher training in a licensed an-approved cosmetology soncol approved to teach estherics or in an estherics school. 60
- Application. Each applicant shall file an application, on forms provided by the Department, at least 45 days prior to an examination The application snall include: date. <u>0</u>
 - affidavity or court order) if different than shown on supporting Proof of any name change (1.0. marriage license, divorce decres, 7
 - The required fee set forth in Section 1175,100;
 - Either: 3 3
- An official transcript from an approved school of esthetics teacher training as outlined in Section 1175,515 or 1175,840 11757835 of one Part and 2 two employment verification forms showing at least 2 years of the last 5 years preceding or cosmetology snowing successful completion of 500 hours of the examination of practical experience as a licensed registered astnetician or cosmetcicqust; or (P
- An official transcript from an approved school of esthetics Successini completion of 750 ±388 hours of reacher training as outlined in Section 1175-535 or 1175,840 ±±75-835 of this showing cosmetology (see Suppart 3 or Subpart S) â
- A complete work nistory since graduation from an esthetics or cosmetclogy school: and ÷
- the applicant's current Illinois esthetician or cosmetalogy lidenser: A copy of 9

Any person who noids Persons-was-hold a cosmetologist's license snall be required to submit a certificate of commemons in the be required to submit a certificate of competency in the steamer, (母子のたまとの名字----たのなちかのター---用ののドッ machines

PEPARTMENT OF PROFESSIONAL REGULATION

WOTICE OF PROPOSED AMENDMENT(S)

disencrustation decrustation machine, etc.) utilized in the cosmetology or esthetics or the manufacturer of such machines practice of esthetics. Such certificate shall be from the school used in esthetics; and-

If licensed in anchief state, a certification of licensure from the state of original licensure and from the state of current licensure or of most recent practice.

effective Reg. 40 Amended (Source:

Section 1175.710 Examination Requirements

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- A separate examination shall be administered by the Department or its designated testing service for esthericians and esthetics teachers and shall cover subject matter as set forth in Section 3A-5 of the Act, The passing grade on each examination is 75. (e
 - Esthetician, An applicant who fails to pass a third second examination to become a licensed esthetician must submit an official transcript from a cosmetology school approved to teach esthetics of an esthetics school approved by the Department snowing successful completion of a 125 nour refresher course Retakes 7
- Esthetics Teacher. An applicant who fails to pass a third examination to decome a licensed esthetics teacher must supmit an Official transcript from a licensed esthetics or cosmetology approved to instruct esthetic teachers showing successful to taking the price to taking the examination a fourth third time. completion of an 30 hour refresher course prior examination a fourth time. 5
 - 3)27 An applicant upon failing the fourth fifth examination to become licensed esthetician or esthetics teachery must submit an official transcript from an approved eathetics or cosmetology school showing successful repetition of the entire course of esthetics training prior to taking the examination a <u>fifth</u> stxth
- 4)3+ For purposes of one examination retakes, the fifth etxth attempt shall count as the diret.
- 5)47 An applicant shall make a written request for an examination retake at least 45 days in advance of the examination date. Such a Fequest must include the required examination fee and official transcripts when duriner study is required in accordance with (c)(1) and (2) above. subsections

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DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

- Applicants for licensure based on examination shall submit to the a)
- A signed and completed licensure application which the applicant will receive with the notification of successful completion of the examination:
- decree, shown on Proof of name change (i.e. marriage license, divorce affidavit or court order) if different from that pre-printed licensure application; and
- Cosmetclogy teachers licensed in Illinois who are applying for an take the snall. An application be required to The required fee set forth in Section 1175,100. examination set forth in Section 1175.705. teacher's license will not G
- A a copy of their current cosmetelogy-and cosmetology teacher submitted to the Department waich includes:
 - A a complete work history since completion of teacher training; :ceuse:
- machines (electrical heating--masky steamer, disencrustation decrustation machine, utilized in one practice of esthetics. Such certificate shall be from the school of cosmetology or esthetics or the manufacturer of such machines used in esthetics; and A certificate of competency in the use of
- A licensed cosmetology teacher wno will be teaching esthetics in an approved estherics sencel or in a dosmerology school approved to teach eschetics, nowever, will be required to submit a written request to Department notifying it of his/her their intent to teach The one required fee set forth in Section 1175,100. estherics. The written request shall be accompanied by: 0
- A a certificate of competency in the use of machines (electrical heatting -- masky steamer, disencrustation decrustation machine, etc.) utilized in the practice of esthetics. Such certificate shall be from the school of cosmetology or esthetics or the 1) A m copy of his/her their cosmerclody teacher license; and
- The Department shall issue a letter of authority to the individual that he she is eney-are approved to teach esthetics in manufacturer of such machines used in esthetics. llinois. 3
- Nothing in this Part sequires a licensed cosmetologist to obtain a license to practice esthetics or a licensed cosmetology teacher to obtain a license to practice or to teach esthetics. (p

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(Source:

An applicant who is currently licensed as a esthetician in another jurisdiction and who is seeking licensure in Illinois by endorsement shall file an application, on forms provided by the Department, which Section 1175.720 Endorsement a)

DEPARTMENT OF PROPESSIONAL REGULATION

MOTICE OF PROPOSED AMENDMENTICS)

original licensure 1) A certification from the jurisdiction of

stating:

A) The-number-of-esthetics-training-hours-received:

A)B+ A brief description of any licensure examination taken and BJ6+ Whether the applicant's file contains any record the grades received; and

- showing the courses completed and the hours received with the Official transcripts from the school(s) attended by the applicant disciplinary actions taxen or pending; school seal affixedir
 - Sertification of current licensure if other than original Licensureir
 - A complete work history showing all employment since graduation from esthetics school to present: ÷
- affidavit or court order) if name is other than that shown on decree, Proof of any name change (1.e. marriage license, divorce attached documents:
- lognsure showing the requirements for licensure of requested by the Department in the application review. The Department will A copy of the licensing act applicable on the date The required fee set forth in Section 1175,100; and
- An applicant who is currently licensed as an eschetics teacher in another jurisdiction and who is seeking licensure in Illinois by endorsement snall file an application, on forms provided by the make such a request if one application materials are incomplete. Department, which shall include:
 - 1) A certification from the jurisdiction of original licensure 小时也是外面也也有一句是我们是一句是不是不知识,一定也是是是他们的一种,我们是不是是我们的一种的一种的一种的一种的一种的一种的一种的一种的一种, stating:

A)B+ A brief description of any licensure examination taken and Blet Whether the applicant's file contains any record the grades received; and

- Official transcripts from the school(s) attended by the applicant showing the courses completed and the hours received with the disciplinary action taken or pendinggr
 - Certification of current Licensure if other than original school seal affixed;

Licensura:

- Two Verification of Smployment forms shall be submitted by the applicant who complered at least 500 hours of reacher training An esthetics teacher applicant shall submit ceuse verification of 2 awe years of lawful practice as an esthetician; or mo-me-submitted-750 ±999 hours. but less than Ç
- Two verification of Empioyment Corms indicating 3 years of lawill practice in another unisdictor shall be summitted by the application in a summer of the tests of application is applying as an esthetics reacher on the tests of years of lawful practice; 3

DEPARTMENT OF PROFESSIONAL REGULATION

WOTICE OF PROPOSED AMENDMENT(S)

- 6157 A complete work history showing all employment since graduation from basic esthetics school to present;
- affidavity or court order) if name is other than that shown on 7167 Proof of name change (i.e. marriage license, divorce decree, any of the documents submitted;
- doametchogsst-15denass
 - A copy of the licensing act applicable on the date of original licensure snowing the requirements for licensure if requested by The required fee ser forth in Section 1175.100; and
- An applicant for ilcensure as an esthetician who is licensed in the Department in the application review. The Department will another jurisdiction shall be given 300 hours of educational credit for every 12 month period during which ne_she was lawfully employed as To obtain credit for work experience, the applicant must submit verification of employment in support of the work licensure from the jurisdiction in which the lawful practice is make such a request if the application materials are incomplete. experience on forms provided by the Department. A certification an esthetician.
 - An applicant applying for licensure as an esthetician or esthetics teacner on the basis of endorsement who has previously failed the the basis of endorsement unless and until he/she provides verification of successful completion of a substantially equivalent fulfills the requirements set forth in The successful completion of the substantially equivalent examination and fulfillment of applicable requalification licensure requirements must occur after the most recently failed examination licensing examination in Illinois shall not be approved for claimed must also be submitted. licensure examination and Section 1175.718(c). attempt in Illinois. (p

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Esthetics teacher and esthetics school licenses shall empire Every license issued under the Act shall expire as follows: Section 1175.725 Renewals

Esthetician icenses shail expire on September 30 of each odd of sach even numbered year. numbered year. 2)

September 20

- The holder of a license mentafforte-of-registration may renew the month preceding license such - certificate during the expiration date.
 - Applicants for renewal snall: ç,
- Esthetician. Cartify on the renewal application to successful completion of a minimum of 10 hours of continuing education from Return a completed senewal application.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

Department, in accordance with Section 1175.1200 ±275.988 of this approved Part, within the 2 years prior to the expiration date an , esthetics continuing education sponsor

A) Pot--the--September--387--1993--renewaly-each-thdisi-who applica-for-renewal-of-their-esthetics-itcenzey--other--than

PO-hours-of-continuing-education-in-accordence-with--Subpart AlBy A renewal applicant is not required to comply with

continuing education for the first renewal after issuance of original license.

demonstrating compliance with the CE requirements (i.e. certificate of attendance or certificate of completion). It is the responsibility of each renewal applicant to recain or in the context of the compilance. require additional otherwise produce evidence of such be required may Blet The Department 30811 evidence.

Esthettetans-wno-size-hold-an-esthetics-tescher-iscense--may ekect--to--cottekn--thetr--conting-education-house-drom-an the -- Department -- 41- 2000 trdance-41th-Section-144954900-06-1549 のではです!」ではなるのではないです。と思ったは、これのとのとはなる!」であっていませんは、これのとのというのとのできます。 aubaectton--243/--abever---aannet---aiso--te--used--toward-the finititinent-of-the-esthetics--resoner--continuing--education estactical-tescher-continuing-education-sponsor-ispureved-isy Department's random audit. ŧ

successful completion of a minimum of 20 ±8 hours of continuing education from an esthetics teacher continuing education sponsor by the Department, in accordance with Section 1175,1200 1495-908 of this Part, within the 2 years prior to the expiration Certify on the renewal application the-appropriate-presentaka-persod-Esthetics Teacher. date of the license: pancadde 3

中的各种是好的数十一的第三人称形式第一人的自然有效的种种的数据一种有关的现象的一句形式的一种的技术的人们可能和一种自然和原则 70-1-10-19 terre -- E9-30 tre-ch-contratents-education-en-en-education Wath-Subpach-Ev

Beginning with the Sextember 30, 1998 renewal, each individual who applies for renewal of his/her eatheries eacner incense, other than first time renewal applicants, on in accordance with Section 3A-6 of the Act. Ten education in accordance with Section 3A-6 of the Act. 10) of the 20 hours small be in the following areas: A)

Educational psychology;

Classroom management; or

NOTICE OF PROPOSED AMENDMENT(S)

- not required to comply with continuing education for the first renewal after issuance of Other teaching related courses. applicant is original license. reneval 9
- attendance or certificate of completion). It is the The Department may require additional evidence demonstrating compliance with the CE requirements (i.e. certificate of of each renewal applicant to retain or in the context of such compliance. shall be required otherwise produce evidence of Department's random audit. responsibility evidence
 - It is the responsibility of each licensee to notify Submit the required fee set forth in Section 1175.100. 5 6
- Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to renew a license.
- Practicing or operating on a license that which has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 4-7 of the Act. 6

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Section 1175.730 Restoration - Esthetics

- A person applying for restoration of a his license as a esthetician LILLE which has been expired for less than 5 years shall submit an applicantion on forms provided by the Department; and (a)
 - 1175798946+ of this Part; earned within the 2 years immediately Provide provide evidence of successful completion of 10 hours of preceding the restoration; if restoring on or after September 33, continuing education in accordance with Section Pay pay the required fee; and
- If restoring after active military service, the applicant shall submit a copy of the applicant's Honorable Discharge form 3)
- A person applying for restoration of a his license as an esthetician 5 years or more shall submit an application on forms provided by the Department along with: (DD-214) and the current renewal fee. that watch has been expired for 9
- another jurisdiction within the 5 years preceding application for Certification from the appropriate licensing authority in the restoration:

Verification of employment attesting to lawful practice

- jurisdiction in which lawful practice is claimed;
- A complete work history showing all employment since the Illinois
 - A completed Restoration Questionnaire;
 - license lapsed or was placed on inactive status;

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Evidence of successful completion of 10 hours of continuing earned within the 2 years immediately preceding restoration; and education

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- applicant's DD-214 must-be-submitted and the current renewal fee. If restoring from active military service, a copy of The required fee set forth in Section 1175,100; or-
- cosmettiogy or esthetics school or pass the esthetics licensure examination pursuant to Section 1175.7[0 within 2 years of application for resources this refresher course shall not also be required to complete 10 nours of continuing shall not also be required to complete 10 nours of continuing An applicant for restoration who has not maintained a lawful practice by the laws of that jurisdiction) in another urisdiction snall also submit official transcripts showing successful completion of a 125 nour estherics refresher course from an approved determined education.
- be restored until such time as he/she has successfully completed the if an applicant takes and fails the examination, the license will examination. ą

effective Reg. 20 at Source: Amended

Section 1175.735 Restoration - Esthetics Teacher

(a)

- A person applying for restoration of a his license as an esthetics teacher that which has been expired for less than 5 years shall submit Pay pay the required fee as set forth in Section 1175,100; and Provide provide evidence of successful completion of 20 ±9 an application on forms provided by the Department; and
 - of continuing education in accordance with Section 1175,1219 \$275-993(d) sarned within the 2 years immediately preceding the restoration; if restoring on or after September 30, 1994; or-
- submit a copy of the applicant's Honorable Discharge form If restoring after active military service, the-applicant-snall (DD-214) and the current renewal fee.
- teacher that water has been expired for 5 years or more snail submit A person applying for restoration of a mas certificate as an esthetics an application on forms provided by the Department, along with: employment actesting to Verification vertitesten of â
- jurisdiction within the 5 years A a certification from the appropriate licensing authority in the preceding application for restoration; teaching practice in another
 - empioyment jurisdiction in voich lawful practice is claimed: work history showing all A a complete
 - llinois estnetics teacher license lapsed; A & completed restoration questionnaire;
- A a copy of the applicant's current Illinois esthetician or cosmetology license; and

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- copy of the the required fee set forth in Section 1175.100; or-If restoring after active military service,
- applicant for restoration who has not maintained a lawful esthetics teaching practice (as determined by the laws of that submit official transcripts showing successful completion of a 125 hour teacher teacher examination in accordance with Section completes this refresher course shall not also be required to 11.75.710 within 2 years of application for restoration. An applicant refresher course from an approved esthetics or cosmetology school applicant's DD-214 formy and the current renewal fee. jurisdiction shall complete 20 18 hours of continuing education. another pass the estherics jurisdiction) in
 - If an applicant takes and fails the examination, the license will not until such time as he she has successfully completed the be restored examination. 6
- effective Reg. 111. t) (Source: Amended

SUBPART H: ESTHETICS SCHOOLS

- Section 1175.800 Esthetics School Application
- applicant for an esthetics school license snall submit a completed application to the Department with the following information and A a detailed floor plan consistent with the requirements of documentation:
- the use of the school site or certification of ownership of the \underline{A} a copy of a lease showing at least a $\underline{1}$ one year commitment

Section 1175.810(a)(1) of this Part;

- proposed school site;
- If te owner is a partnership, a listing of all partners and their of the Articles If if cwner is a corporation, a copy Incorporation;
 - A & signed fire inspection report from the local fire authority within 6 months of application giving approval current addresses;
- the Department pursuant to the Illinois Public Accounting Act and A financial statement prepared by a public accountant licensed by not an employee of the school, indicating sufficient current finances exist to operate the school Site as a school:
- A m copy of the official <u>encoliment agreements atuadent-centract</u> to be used by the school acid shall be consistent with the ● 株式中央の大力は大力をは、中央のサールは、中央の大力をはないのかった。

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- a listing of all esthetics and cosmetology teachers, including their teacher license numbers, who will be in the school's authority--ro--teach--esthetics--rosued--by--the--Department---in employ_---For--cosmetology--teachers---a--copy--of-the-letter-of accordance---with--Section-witth-5 requirements of Section 1175.815 of this Part; appitestions
 - 9) A m copy of the curricula which will be followed: 10) A m copy of the school's official transcript; and 11) The the required fee set forth in Section 1175.100
- When the above items have been received, the Department shall inspect the school premises, prior to school approval, to determine compliance with this Subpart. School operations shall not commence nor shall the school in any way solicit student enrollment, until the school has will be granted if ail of the requirements of this Suppart H have been received written notice of approval from the Department. 9
- Esthetics schools shall only offer instruction in esthetics and esthetics teacher education. ô

effective Reg. 20 a tt (Source: Amended

- Existing cosmetology schools that who wish to provide esthetics Section 1175.805 Cosmetology Schools Approved to Teach Esthetics
- provide 200 square feet of space to accommodate 5 five work stations and a maximum of 10 students. Trattentance exceeds 10 or the olinic floor at any time, an additional 40 square feet is must--provide--as-sedittenak-ag-square-Seet-which-thatbudes-a-work Station-and-factal-chair: The use of this space shall not reduce the square footage for the conduct of an approval cosmetology required for each additional work station required by subsection a)(4)(B) of this Section. For-enrottment-over--thre-school school below the minimum requirements set forth in this Part. instruction shall:
 - File an application with the Department, on forms provided by the Department, which snall include: A detailed floor plan;
- A a signed copy of fire inspection report from the local
- A financial statement prepared by a public accountain licensed by the Department pursuant to the Illinois Public of application giving Accounting Act and who is not an empioyee approval for use of the site as a school; months within 6 ire authority
 - indicating sufficient current finances exist to operate the school for at least 3 months; a --completed--financial を出かしおおかとのだがし出からのメータを作し他のは、あなかかが出が中の最小が一とのかなのもが! - 山の! - トリカをからならの

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owner-s-abitity-to-operate-the-school-for-at-least-3--months as---evidenced--by--the--owner's--signature--certifying--the information-is-true;

A a copy of the enrollment agreement student-s--contract be used by the school; G

school's employ----Fer--cosmetology-reachersy-a-copy-of-the Hetter-of-sathorization-to-teach--asthetids--teached-teach--Department--in--accordance--with-Sectron-rit55-725(e)-of-this esthetics and cosmetology teachers, including their teacher license numbers, who will be in the A copy of the esthetics curriculum; A a listing of all esthetics a (i)

A copy of the school's official transcript; and Part-shait-be-submitted-with-the-appitostion;

H) The the required fee set forth in Section 1175.100. When the above items have been received, the Department shall inspect the school premises, prior to school approval, 3

determine compliance.

At least one One facial chair for every 2 two students In addition, the school shall have meet the following: enrolled. Ĵ

At least one One work station or position for every 2 two Every work station shall have 1 one set of facial equipment students.

to include manual, mechanical, or electrical apparatus as

executioning-mask 1) tt) Steamer steamer follows:

ivlw+ Glass gias electrode or high frequency current v)*** Disencrustation decrustation machine iiility) Vacuum wacuum/spray machine ii) titt Brushing brushing

vilwatt One one magnification lamp

vii) Woods lamp

Provide previde an esthetics curriculum in accordance with comply with all provisions in this Part except for Section 1175,810(a) Cosmetology schools approved to teach esthetics shall be required Sections Section-1175.835 and 1175.835 and 1175.840.

Ill. Reg. 20 (Source: Amended at

Section 1175.810 Physical Site Requirements

1) A school shall have a minimum of 1,800 square feet for a maximum of 20 students. An additional 40 square feet is required for each additional student if attendance exceeds 20 on the clinic Space Requirements a)

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2)

The school shall be partitioned to provide for the following Dispensary area Caboratory Classrooms areas:

Separate restrooms A-separate-restroom for males and females cak space 6

uplic A-pubite waiting area separated from the work area Studenc A-student lounge area Storage space Locker space 6 E

Other areas for school administration Conference coom Work stations

Minimum requirements for school equipment are A--sence --shair--nave--na Equipment Requirements - All equipment shall be in working condition All areas of the school shall be ventilated and lighted. sufficient for the number of students enrolled. G

An entrance sign designating the name of the school; Portentand-southment: A school seal: A time clock or other equipment necessary for verification A minimum of 23 ten facial chairs. For encollment over 20, facial chair per 2 two students rattendance and nours earned; 4

19 tem work stations. For enrollment over 20, 1 ene Every station shall have 1 one set of factal equipment to include work station or position per 2 twe students; -A minimum of 6 6

Big discuss creating creating and the property of the property manual, mechanical, or electrical apparatus as follows: At enectmental-negation-wash A)B) Steamer steamer

lotions,

covered container for soiled towels for each 10 students Desk, table space and a chair for each student in the classroom; Adequate covered disposal cans placed at convenient locations: creams, makeup and other necessary supplies for facials; one 11) 10)

13) Closed cabinets equipped for storing towels; and: One (1) nead form or chart per class. One (1) covered contain in clinical work area;

DEPARTMENT OF PROFESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

- No open toed instruments shall be sanitized before and after use on each Clean outer garments must be worn at all times. shoes shall be worn by students. Sanitary Regulations
- Clean towels shall be used for each patron.
- After serving each patron is served, electrical equipment must be sanitized according to manufacturer's specifications. All other Hands must be cleansed before and after serving each patron.
- The head rests of any chair shall be protected with a disposable equipment should be washed in water and sanitized before use. cover and changed after each patron. 9
 - Non-disposable nead coverings must be laundered and sanitized after each separate use.
- sanitary applicators and removed from the container with a All powders, lotions, creams, and other cosmetics shall be kept in clean, closed containers. All cosmetics shall be applied by sanitary spatula. 3
- knowingly permit any person suffering from a serious communicable administrator shall disease as defined in 77 Ill. Adm. Code 690 to work on the premises, or knowingly permit a student to serve a patron with a or school owner, manager, teachery serious communicable disease. o 6
 - No animals or pets, except seeing eye/hearing dogs, shall be permitted on school premises.
- The floors, walls and furniture shall be kept clean at all times. An adequate supply of not and cold running water shall be
 - Textbooks/Teaching Materials Textbooks shall be provided for each available for school operation. student in attendance. ô
 - Teachers The student/teacher ratio during clinical instruction shall not exceed a 20 to 1 ratio.

effective Reg. 50 at (Source: Amended

Section 1175.815 Enrollment Agreements and Refund Policy Student-Contracts

- All licensed estherics schools shall have enrolleent agreements that the transcriberts of Section Table 26 fine Act.
 All licensed estherics schools shall implement refund policies pursuant to Rection 19-13 of the Act and nis act. (p
 - first day of class attendance, the school may retain no more than the application and registration fee, plus the cost of any books or materials which have been provided by the school and retained The cost of books for following enrollment but before the completion of the student' after the fifth is given by the student (Section 3B-13(b)). cancellation when notice of

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the cost of the books charged to the For students who enroll in and begin classes, tuition adjustment student, not the cost of the books to the school. shall be made in the following manner: of refunds is 27

AMOUNT OF TOTAL TUINION OWED TO THE SCHOOL	200 200 200 200 200 200 200 200 200 200
TIME OF COURSE	0.018 to 4.98 58 to 9.28 108 to 14.98 158 to 42.98 258 to 49.98

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- Att-student-contracts-used-with-students-on-prospectave-students-by-an approved--esthetscs--scnool--or--cosmetology--school-approved-to-teach ŧ
 - Following-informations
- The-name-and-address-of-one-sence++ student-was-admittedit
- The -- name and deecrips then of the course of instruction and unding energipes-less-out-out-sections-lesse The - sonecuied - starting - date - and - caiouiated - sempietion - date; この日本のは、大きのとは、このは、このは、このはないないはないない。 #
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 - refund-of-all-menses-pard-to-date-within-i9-days-of-cancellations A-notice-to-she-scudence-that-the-cancellation-must-be-in-writing and-siven-to-the-restatered-agenty-if-any-or--managing--empioyee ef-the-schoots
- With -- name -- out -- out coll -- entries -- entries -- entries bear -- not procuringy-sektorong-or-enrokkeng-the-studenty
 - GROUNGYBEST--BSG--B--B4684est--Besch+B4543g--455g--B63602+-B--B48634 destabling procedures.
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*Bo-not-sign-inte-continot-setore--you--read--it--or--it-Wouldistanterentstated-to-an-exact-copy-of-the-contract-you-stants ののはななけるとのは十七十十十十年のなるのので

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- Ef-tre-enrothment-or-student-contract-ts-negotiated-orally--in-inseannschusphe-execute-exe-exe-seannou-membe-kasht-kasht-membe-memberet shakk--be--bendered--sh--she--kengse--sh-sh-sh-che-contract--sas 144
- The-school-shart-compig-y-watt-art-appistosote-regutrements-of-the-Retail 子ののでなかなはなのでしななとののとなって、子子ととも一切をなくこのでなからしたののなったないととなるとしたのながらしてのながらしているとします。 negotineed-price-to-executing-the-enrothment-egreenert 4
 - No-student-continect-shair-contain-a-age--assignment--provision--or--a Any--provesson---n--atudent--contract--rhat--purports--to-warve---ne OPERATOR -- General and -- net -confession-of-judgment-otacesŧ ŧ

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Section 1175.825 Recordkeeping - Transcripts

- Each school shall provide an official transcript showing the entire course work of each student. The official transcript shall contain a)
 - School senseits name and address; the following information: 333
 - School senset seal; School senset license number;

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- Student's student's name, address; and social security number; Subject subject areas, hours earnedy and grades received; Actual actual dates student attended;
- grades school Any any transfer hours citing the name and address of from, subject areas, hours earnedy and transferred received; 3 9 6 8
- Einal frmeh examination grades; and Graduation graduation graduation
- the official transcript and school records for each student shall be If maintained on the school premises, they shall be maintained in fire resistant fireproof cabinet. If official transcripts are maintained on a computer system, history tapes or discs of all official records must be stored in a locked, fire permanently maintained by the school in the Collowing manner: locked, 9
- resistant fragroof cabinets, duplicate student records, the official transcripts, snall be maintained at a be maintained on the premises in locked fire separate location which shall be made known to the Department. Such records shall be accessible to Department officials for If records cannot Including 5

resistant fireproof cabinet.

- An official transcript and school records for students who withdrew or dropped out of a program shall be maintained by the school for 7 years from the student's first day of attendance at the school .nspection. อ
- d)c+ A copy of the transcript shall be given to the student upon graduation or other permanent exit from the school provided the student has met all financial obligations set forth in the enrollment agreement student-contract as set forth in Section 1175,815.

Reg. Section 1175.830 Recordkeeping - Hours Earned 20 as tr (Source: Amended

effective

- A complete and accurate second of hours of attendance for each student must be recorded and maintained by the school.
 - No student, reachery or any other person snall punch the time card of another student. If a time clock is not used, there shall be The records must be in a form that which allows the student to receive a written report of hours earned. This report of hours earned shall verifiable method used by the school to record student hours. If a time clock is used, each student snail punch his/her be provided to the student on a monthly basis. another card. 6
- Credit for nours earned away from school premises shall be awarded licensed esthetician or licensed cosmetologist in the case of an only if students are supervised by a licensed instructor

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include workshops, Hours earned away from the school premises shall be recorded on school programs, films, and demonstrations and > B Credit hours for outside study training in a registered salon. ô

time forms. These forms anall include: the school seal, name of student, event or program attended, date attended, signature of student and signature of supervising, licensed instructor.

Each month the instructor shall issue a signed <u>written</u> monthly report to the student showing the actual number of hours earned by the Instructors shall review one hours earned by each student monthly. e

Time cards may be destroyed upon the student's permanent exit from the school and after all nours earned are recorded on the official transcript. £)

A licensed instructor shall supervise all classroom, practical and An hour is not less than 50 nor more than 60 minutes of instruction. clinical study. No credit shall be given for unsupervised study. 66

effective Reg. 20 at (Source: Amended

Section 1175.835 Curriculum Requirements - Esthetics

Each licensed cosmetblogy school teaching an esthetics curriculum and licensed estherics school shall provide a minimum of 750 hours of course instruction as follows: a)

hours of classroom instruction in general theory and practical 1) Basic Training deneral-theory-and-practical-appitcation - 75 application snall be provided which snall be divided following subject areas:

personal hygiene and public health history or skin care

introduction to skin analysis and skin care and facial understanding-the-uses-be-electricity sterilization and sanitation professional ethics

instruction, shall 2) Scientific concepts - 150 hours of classroom be provided in one following subject areas: cells, metabolism and body systems creatments

chemistry - inderstanding chemicals and their use physiology and nistology of the skin human anatomy

bacteribingy

Practices and Procedures – $\frac{500}{10}$ 475 hours of instruction, which shall be a combination of classroom instruction and clinical application, shall be provided in the following subject areas: disorders of the skin and special esthetics procedures 3

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non-therapeutic massage, excluding the scalp nutrition and health of skin skin analysis

facial treatments without the aid of machines electricity, machines and apparatus mask therapy and facial treatments

cleansing the skin

hair removal: including tweezer method, depilitators, waxing facial treatments with the aid of machines

product knowledge as it relates to esthetics professional makeup techniques and their use

Practices - 25 hours of classroom instruction shall be Illinois Barner, Cosmetology, and Esthetics Technology Act and Rules management Management DSHA standards relating to chemical use provided in the following subject areas: Business 4

Internship Program is an optional part of the curriculum. Each licensed estherics school may choose to set up an internship forth below: program and snail follow the quidelines set internship program: (2)

May be substituted for 75 hours of the 750 nours set forth in subsection (a) of this Section.

May be part of the curriculum of a licensed esthetics school and shall be an organized preplanned training program designed to allow a student to learn esthetics cosmetologist or licensed esthetician in a registered under the direct supervision of a

May participate in an internship program only after completing 375 hours of training and have a minimum in the internship program: A student

A school may set the average that a student must neet to participate in the internship program. May not spend nore than 15 nours in an internship grade nigner and set other standards .0E 30 average grade

May not be baid while participating in this internship program as it is a part of the eschetics curticulum of prodram.

May work a maximum of 8 hours a day and shall be required to spend 1 day a week at the school 2

Snall be under the direct on-site supervision of a supervised by 1 licensed icensed cosmetologist or licensed eschetician. cosmetologist or licensed esthetician. shall be student

contract or enrollment agreement that the school A licensed esthetics school shall state clearly in student

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offers an internship program.

- this Section and any ctner requirements of the internant program established by the school. The contract shall be the student, the school and the licensed or licensed esthetician. Any party of the The licensed estHetics school shall enter into a contract cosmetologist or licensed esthetician. The contract shall contain all of the provisions set forth in subsection (a) The contract shall student, the registered salon and cosmetologist or licensed esthetician. a
- An esthetics student is not permitted to practice on the public until the successful completion of 75 he-mas-successfulky-completed-the--188 hours of basic granuing thecry-and-practical-application specified in contract may terminate the contract at any time. subsection (a)(1) above. (q

Red. 20 (Source: Amended at

An approved school that which intends to provide teacher training must Section 1175.840 Curriculum Requirements - Esthetics Teachers (a)

utilize a teacner curriculum which includes a minimum of 750 ±000

hours as follows:

- which includes: all subjects in the basic esthetics curriculum in Section 1175.835 including theory and practice. Presentation of marerial must include the concepts that which are intended to be taught and the skills to be acquired during the various phases of Training 500 nours of Post-Graduate School basic education.
- not be limited to, topics in educational objectives, student characteristics and development, the learning process and an evaluation of learning which relates to teaching. This course shall be presented by a person qualified to teach educational psychology at the college level or a licensed cosmetology or esthetics teacher who has completed a course of instruction that which included the topics set forth above or an equivalent of esthetics teacher students who have completed a course in Educational Psychology at an accredited college or university within-the-five 20 hours of Educational Psychology that which shall include, program. These nours snall be waived on behalf
- 20 hours of Teaching Methods (Theory) that which shall include limited to, topics in individual differences in Learning, lesson planning and design, lesson delivery, assessment of learning performance, classroom management, student motivation and classroom climate. This course shall be presented by a person qualified to instruct in Teaching Methods - Secondary but not be 3

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at a college or university or a licensed cosmetology or esthetics teacher who has completed a ccurse of instruction that which included topics set forth above or an equivalent program. of esthetics teacher Methods - Secondary Level at an accredited college or university 中日ヤーのカーにのみののおおがな一切にからののはは一一人でもなるができません! - - のなるのが - - のかかが - - のなか - - このなかなかな course in These hours shall be waived on behalf nave completed a ~no

- 150 hours of Application of Teaching Methods that include which includes: preparation and organization of subject matter to be presented on a unit by unit basis; and presentation of subject demonstration, testing and assignments). Presentations must provide teaching objectives to be accomplished and correlate matter through application of varied methods (lecture, wannerthou - teanthan - broadan. 4)
 - 50 hours of Business Methods that which include: Inventory, record keeping, interviewing, supplies, The Illinois Barber, Cosmetology, and Esthetics and Nail Technology Act of 1985 and 68 theoretical with practical application. 2
- of Student Teaching under the on-site direct The student teacher demonstrations to supervision of an Illinois licensed teacher. shall present theoretical and practical :11. Adm. Code 1175. hours
- The approved curriculum for a 500 hour Teacher Training Course shall be based upon 2 years of practical experience and shall consist of the Teacher Training Curriculum outlined in this Section ±275x499 with the exception of the 253 500 hours of Post-Graduate Training. students in the basic curriculum. (q

effective Ill. Reg. 20 t) Source: Amended

Section 1175.845 Final Examination

- examination that which shall test the student's theoretical and A school shall require each candidate for graduation to pass a final The practical examination shall test the candidate's skills in the practical knowledge of one curriculum studied. â
 - Non-therapeutic men-therapeutic massage; following areas:
 - Electrical erectfront facial treatments;
 - Other semes Ainds of Eacial treatments;
 - Makeup memeup application; and Hair name removal.
- The examination shall be administered by the uniform application of standard performance criteria established by the school for each skill area. The standard performance criteria for each skill area shall be delineated in the examination records as specified in subsection (h), The examination snall be administered by the uniform application ô

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- 75 or greater shall be required on both the The school shall allow each candidate for graduation at least 3 three theoretical and practical portions of the final examination. score of
- the administration of the final may monitor attempts to pass the final exam. Jepartment
 - As as a result of a complaint received; examination:
 - For for random sampling;
 - To to collect data; and/or
- on the licensure examination for school graduates is greater than 25%. When when the failure rate
- Department shall maintain records of each school's graduate only first examination attempts for each graduate. The examination examination if the student transfers to the school from a closed school with one-half or more of the required nours for graduation. those -- approved -- senteers -- waster -- hever -- avenesse - sonnusk - fettanes - osee the school snail maintain records of the final examination for a The records snall reflect Advacebales and enterest of the second of th results shall not count toward the failure rate on the licensing failure rate on the licensing examination. 6
- no less than 5 years in the manner prescribed in Section 1175.825(b) of this Part. These records shall include: Dericd of
 - Δ m copy of one final examination administered; and $\overline{\text{Bach}}$ each stident's examination grades.

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Section 1175.850 Change of Ownership

- When the consership of an approved school changes, the new owner shall, the school is If this is not An affildavit stating that the contract is contingent on certificate peing issued to the new owner. within 5 working days from the date title transferred, mail to the Department the following:
- provided, the school must close on the date of the transfer and remain closed until a new certificate is issued.
 - A floor plan if any expansion is to be done by the new owner; A signed and completed school application; 733
- copy of a lease agreement showing at least a 1 year commitment A copy of the enrollment agreement student-contract which will be or certification of school site ownership; 2)
- Articles the o. If owner is a corporation, a copy utilized by the new owner; Incorporation;

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DEPARTMENT OF PROFESSIONAL REGULATION WOTICE OF PROPOSED AMENDMENT(S)

- owner is a partnership, a listing of all partners and their addresses;
 - A signed inspection report by the local fire inspection authority within 6 months of application approving the school site; (8
 - the Department sursuant to the Illinois Public Accounting Act and 回の口にいる: A-のもはひとをできってものもなられるからなりのはなかなーので-のちゅうのマーとものとととをからの一部のの コのキーメンロロカーのコウストのはールのメーンを対している。コウトサートサイトウーのひのにおりの一・ロウのコロの子 who is not an ampicyee of the school, indicating sufficient finances exist to operate the school for at least A financial statement prepared by a public accountant that-the-theorester-te-tescurrent 6
- If a name change is to also occur, the new owner must submit a sample of the new school seal and a photo of the new school sign; 10)
 - Once the above items have been received, the Department shall conduct 11) The required fee set forth in Section 1175,100. (q

will be granted if the requirements of Subpart H have been met. an inspection prior to approval of the change of ownership.

Reg. 111. (Source: Amended

Section 1175.855 Change of Location

- a) When the location of an approved school is changed, the school owner shall submit to the Department the following:
- Written notice to the Department at least 30 days in advance of A signed and completed school application; the school site change;
 - A floor plan:
- A copy of a lease agreement showing at least a 1 one year A signed inspection report by the local fire inspection authority commitment or certification of ownership of school site;
 - the above Items nave been received, the Department shall inspect within 6 months of application approving the site; and The required fee set forth in Section 1175.100 Once 9
- in any way solicit student enrollment until the owners have received written notice of approval from the Department. Approval will be not commence at the new location nor may the school is due to natural destruction the premises to determine compliance with onls part, . granted if the requirements of Subpart E have been met. Cocatton operations shall If the change of
 - used to teach theory original premises, a temporary site may be classes only.
- Possess light and ventilation, tables and chairs for the number of students in a classroom, and must be clean. The temporary site must be inspected prior to its

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Section 1175.865 Expansion

a) Written notice shall be given to the Department 30 days prior

to any

- expansion of an approved school.

 b) When the expansion will result in an off-site classroom location, a completed gchool application must be submitted along with:
 - completed school application must be submitted along with:

 1) A detailed floor plant

 2) A detailed floor plant

 2) A copy of a dasse showing at least a 1 year commitment to the use
- of the site or certification of ownership of the proposed site;

 3) A signed fire inspection report from the local fire authority
 A signed for some of application giving approval for use of the
 - within to months of application giving approval for use of site as an official equation location; as a case of 3, a statement from the school owner outlining the purpose of 3.
- Classroom Locations

 5) A listing of any and all additional teachers who will be added to
 the reaching staff as a result of the expansion;
- the reaching safe as result of the expansion of the formation of A financial screening pressed by a sublic accountant licensed by the Department outsign in 3 he Illinois Public Accounting Act and the Department outsign in 3 he Illinois Public Accounting Act and the Department outsign of the Stool License State of the Stool License State of Act and Act and
- defensionnerest-orse-tenserial-ar-resible-ef-ind-evpanionn
 7) The equited (see set_first h.m. Section_115.10).
 8) An off-sire classroom location is defined as a separate classroom interpretation is defined as a separate classroom which serves to provide adequate space in which contain an overfitted of students. A clinic may not be operated as an off-sire classroom location. A school may not be operated as an off-sire classroom location. A school may not be operated as an off-sire classroom location. A school may not be operated as an off-sire classroom location. A school may not be operated as an off-sire classroom location. A school may establish only one
- Off-size chasson location, All identifying signs and materials
 of After an on-size expansion is to occompaders an increased excellent, a
 completed action, application shall be summitted liong with:
 - 1) As detailed floor than school owner outlining the purpose of the
- a) A technical of any and all additional teachers who will be added to the teaching staff as a result of the expansion; and
 - 4) The the required inspection fee set forth in Section 1175,100

DEPARTMENT OF PROPESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

Opposeed, to the above items, the Department shall inspect the development of the cover instance with this Patr. The site shall not be used until study inspection has coursed and the owner has received written notification of approval from the Department. The provided is also approved the presence of Subpart Have been as:

20	111.	Reg.	`	effective
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Section 1175.870 Discontinuance of Program

a) The Department shall receive a minimum of 30 days written notice of a school's interat to discontinue its program. The notice shall include the water location where the student seconds are to no stored.

The school owner snail notify the Department in writing of the actual

closing date of the school.

- c) All school records shall be maintained after the school closes.
 d) The school must continue to meet the requirements of the Act and this
- u) has south) mass votable to the force the force of the
- f) All reginds snall be given to students in accordance with the refund provisions set forth in the encollment agreement student-tentract.

(Source: Amerided at 20 III. Reg. , effective

Section 1175.875 Withdrawal of Approval

- a) The operatent way linders, sispend or base on probability, becausing to 88 ILL Adm. Code ILLO, the approval of a school of commercially or estretelies among when the quality of the program has been affected by early of the following causes:
 - Gross or repeated violations of any provisions of the Act or this Part;
- Fraud or dishonesty in furnishing transcripts or documentation for evaluation of the school;
- Failure to meet the criteria for school approval in Section 1175-800;
 Pailure to administer the final examination as specified in this
- Painue to maintain final examination grades for each student and a master. If the examination administered by the school as specified in this Part;

Parti

6) Fraud or dishonesty in providing transcripts to students who have fulfilled all obligations under Section 1175.315 $_{\rm I}^{\pm}$

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- A finding by the U.S. Office of Education or Illinois Student Assistance Commission that a scnool has misappropriated or misused grant or loan monies or has aided in obtaining such monies by providing fraudulent or untruthful information; and Failure to provide transcripts to students == 3 3
 - When a school's graduates have a 25% or greater failure rate on Any other violations of the Act or this Part. Performance Record on Licensing Examination

tre licensing examination, Department approval of a school shall

- licensing examination as compared with the statewide performance record shall be considered by the Department when reviewing The performance record of by a school's graduates be reviewed pursuant to Section 1175.899. Department approval of a school.
- to 68 Ill. Adm. Code 1110 when Department approval of a school is The Department shall give written notice and a hearing pursuant being reviewed

Reg. 20 03 1.2 Source: Amended

effective

SUBPART I: CONTINUING SDUCATION - ESTHETICIAN/ESTHETICS TEACHER

Section 1175.900 Sponsor Approval 7(Repealed)

- associationy-corporationy-or-any-ether-group-which-has--been--appreved and--suchertzed-by-the-Department-to-coordinate-sud-present-continuing education=(GB)-courses--or--programs--for--esthetrorans--or--esthetrorans
- A--aesnaetrotan-continutng-educantion-aponaor-application-shail-be-akked educontitos - sapone de - - an - entrettitos - tenones - constituting - educatitos - eponeos SSPEctablican sabit-ce-fored-wath-cae-Department-to--to--agroved--ag--a CONTRACTOR - CANDACTE - CONTRACT - CONTRACTOR - CONTRACTO 40
- 据上的时上上的电子和处理下上的社会——所有的专业的企工一的企工——为企业的社会的第三人称形式电子系统的表示,由于在各种的社会的企业的影响。 ●だり!」かの単行!」かのおが、ものなけらり!」から「芸術な物のなな」だけらながらななか。一次におけたされただり!「光」」とは表示ならないでしたない。 4
 - 中世代的其中中国的一世纪中一年四十年十年日十年日十年日
 - - Santrany-procedures
 - Assungations days

中間大きりの自己・大学の大口の自己の第一なおのできない。

DEPARTMENT OF PROFESSIONAL REGULATION

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- 田口音のコールを中心の中のコロドのの自己になっているといっています。
- Managedene and sarketting+
- Akk--programs--snakk--be--devekoped-and-presented-by-persons-with educaciony-training-and/or-practionk-experience--th---the--subject Non-Dechanged to nate - resovar - techniques -Non-therspeatte-manager H+

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- Att--programs--must--theide--a--student--evaiustion--of-both-the instructor-and-the-courser matter-to-be-presentedy
 - Akk--brochams--snakk--specify--the--course--objectivesy--contenty 中のならなられた。 「おはのは、「おけんのは、これのは、これでは、「なり、これのないないない。」では、「ないのはなられるのである。」、「これのはないない」という。 4
- そのからからから、このののでは、一切にもののののは、一下ののなりのは、一下のできるのである。一下のできるだちから、一つななり、一切なるなどのなっているのとはない。 のおか!からのおいをひしのか!だらからからのの一切のか! かかけのパスロのメーの「ものののかからないのの」の「の」というとしなった。 日本の七十四日の七十七万年一の日上の女とのは一日をおり日本日一日の女とかの日の日の日の日 ÷
 - のかや」のが「もびは不らだけ」中ではだか!「質ななからなか」」なか!「もかなななな」」」なるためなか!」「あられなるだちなり」」には
 - かのか!のののもれらの数と一切の「ものの」を見か!のや!かべむのの!からだか!ののだかれらこのもなったのなかにしなられないなるない。 Bducactenati-Payonsteave
- Peachang-Meanaday States and Menneday Tenes-Resentante

そのかがの一切なの一切ののかしののひしからしからのひ

- Counsering-Tecaniques:
- Gでは在のます-田子の上は自ななのね-の水上出出ます
- State-and-Federak-Esta-spettinent-to-esthetics-
 - たのかにも目のものののN-DCは-のかののD
- Att-programs-shatt-os-developed-and--presented--by--persons--vers
- thetructor-snd-the-course. matter-to-be-presenced-#
 - 「日本ののできない」「日本のではない」」のできないです。「日本のでは、「日本のでは、「日本のできます」」ではないできません。 ●の一のセーのもかのも一部中一年の1を申れ行かれートののセートでの前に上下のからの行われるかだかなし、下午のもなるなななななななななない。 Hatestanning.
 - eacostal-arteshianca-anski-ca-xapt-bor-kos-kesa-aran-i-yessa----iponsoss のだれまの小川の中一のだか―のだれのだ本――中国のだめ、中ではおりのセニーを表示し、1.1月のもなのなれにはかしのならなりも一句だな――日も一句だる のだか! - かか! - だりかりを不良言から! 中の一切ものりをもしなしからながなからなからないのか。 - なりかり - なりがかしないないできない。 - 中心のなない - 一日のかりを不良言からしない。 - 中心のものないのからないない。 不要自然的现在分词 化自己的 医克里特 医克勒特氏征 ——我们也有有人的现在分词是一个人,我们也可能说到我——不是我们的第二十一个我们也有我们的人的人们的,我们 たいりからからからないのでは、19 and-name-es-apenage +

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Department Supervision (Repealed) Section 1175,905

- Phe-Department-sharp-sudat-spensors-sharp-sharp-spensors-sharp-sha ※一歩からなるのでものできないのでは下しが中でしても上できましてものは、またのでは、「となってはない」とはなってものできない。 のから ちゅんはんてのほのコーショーショーからいのこのはかからなって + 0 40
- サートできょしからにならいなった。あのなかと「かののなる」なってなかりたのの「見のも大きかのなかかのち」」たの「しかから」の即ののまので that--4---4use---remedy--ths--non-compitance-prior-to-providing-further Tennest to the total and the this-Subparts ÷

Section 1175.910 Credit Hours (Repealed)

- 40
- ○日本社会のの一・リルスなどののであるので、「ので、「の」とは対するものはなけが、「しなり、「のの上述を含め、ならな上述」とののなかがの「上の一の日本社会の日本 eredatt-hours-hous-each-senseter-hour-or-k0-68-hours--50r--each--quarter 下のことは、 はいない できる はいしゅうない はいしゅうない はいかしゅうない 40

上ののはなりのはないでは、これではないのでします」などのないと

- 我们上的时间,我也是我的的一个女女的人一个女的家女的女子,我们还是我的女子,我们一个我们们也不知识是我的女子——他们的父母的人们一个家 从外面的时间,我们的时间的时间,我们也不是一个人的时间,我们们的一种,我们们的一个人的一个时间,我们们的一个时间的一个时间的一个时间的一个时间的一个人的一个人的 5年——张小小女子也是一一分别一个不是这个七一点心里一会几个女孩子一切的有些有事的人会不少的人,不是有一一句有意的意味的女子也是一 8万名大上できるモンターと一つのはアーロを名をでしたのでしまなか。2~2のはできょうをにしまるななな。」ののなからの を行るのこのにおというこののないとのかないのものなったのないというないかしているのに、一つからととしてのかとないのものものに、こことものとなる 4
- Stedart--wall-108--08-0481dea--Ber--saccessful-tomplerton-of-courses-tuken ÷

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Section 1175.915 Waiver of Continuing Education Requirements (Repealed)

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DEPARTMENT OF PROPESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

basks-of-saton-facts-andy-kf-le-lassated-u-reagasst-for-autou-katerviev-seriors 0年的中华上面文化在中国企业,但是还是小学生的中国一位的一位的OSII和一年中国的国籍中的在中国的III(OSIII)中国中一一〇〇日至414440001 サースのサートーのは、「「「「「「「「「「「」」」を表するとなっているのです。「「「「」」をは、「「」」のでは、「「」」というできませんななる。 やだい!だられたメーシンか!もられたもの「小の大もにやなーをだか」なりなったからかられただからしだったの「なっ」」となるだもしならなだか ADDITIONAL TON BOUND THE BOTH

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 - America-dusting-a-substantiat-part-of-such-pertody
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- that-ro-comply-with-the--continuing--education--requirements service-so-spendages ----± m
- 中国,1985年中国中国中国,1986年中央,1986年中国,1986年中国的一个大学的一个大学的主义的中国中国的共和国际的主义,1986年中国共和国的主义的主义的主义的主义。 t o

SUBPART J: NAIL TECHNOLOGY

Section 1175.1000 Application for Licensure under Sections 3C-4 and 3C-5 the Act (Grandfather) (Repealed)

Cosmertokogyy-HBSを出来たらのy-1810 - Noth-Hethingky-Act-ta-195-4418-Act-196-4418-でのおおからかっちゃしのものもない。 かけいしゅう まるのである - のこのになる - からないからない - からないからない - からないからない - からない -

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DEPARTMENT OF PROFESSIONAL REGULATION

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hosss-or-more-per-veeky-and-part-time-experience-is-noe-kess

- Practical-1-xyericance--se-a-a-nett-rechnschan--for-purposes-othiss-Westhony-is--garned--when--bor--compensation--e--person ・の中ではは、中心の中心ではなっている。これできないのできないのできない。 04-43-337-484-48488-EGH-438--38448--08-4384--19648--19648--408 than-28-hours-per-weekŧ
- ABI ABBRACCOVICA - OR CORRE ARBRACCOVICE OF V- CR. Decontrates CA- CA-Penning Hogy -- prepared at -- Kork - expentence - (eskes - expentence - does - not **本色のローボートが出りのいが不動のボーかいのはメートいの・トトルのこととのなるとなって、おいのからなななしのできないないのない。** 中の日の「この「大のけんの」となっている。「このなっている」「のかなななななな」」のはないできない。 General name name pecuto guardeses 44
 - Genetalitosetads of seducetads dross et gitti grade - et essentas y - echook Of-a-custent-business-hisensey 46
 - A-complete-werk-historyy-and OT-110-courtaient +
- ※おきしなみなななななってきゅうののしまなった。 ひゅうしゅう ひゅう はんな → かま → から → から です £ 6
- 王子・コスカーのフロントののカストンター上上の中の日ののは一本の一のもののです。のかなかの一の一の一のですののできるのでもののできる。 **ののかかり、かだり、前のお好しかには、かななのにかりが、「大きだけが、大きなないないのに、からない。」では、「このなか」でもなかななのなが、** Wisters - and - and other and the demander of the section of the s

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- An addition vitor cn dorma provided by che Departmenty exgned - by - an Vocationa:---technicai--sencoir---grofessionai---association-or-sail
 - のからのだけ世代大き……からならかをキーだからおのこのできない。 日本のではなり、これのはないできない。 日本のでは、「日本のできない」というできない。 本人をおり上のたけののとします。 できる カーカーのの 日本 はながなしならし カカンなけらびなける ●のはもかしからはなるというのではなりました中心の中心中心 t's
- できかがからなり一貫の小での「水をからしたり」だりかかからなりのののが「小のだのかのからならした」と示さりよりの「小のなかにだけなか ŧ
 - 日本をなられていないのは、4年一の日の日はなりにはなっている。 またのは、日本のは、そのはののと、これには、本のはなかえないのかののです。 のりなからなができる一は30点一たが一たなたか-100にのとうのサウ
 - であるこれとものかのかに一名なのと、もなりは自然のリーを ÷ ÷
- 不明からのおおがひ」のか!1966年1ののひかかひのおかにからかけかにおじかなのかがしからなりかけたなだ。しないかとことなってなか 平均の一つののはなななのは、こののは、こののなった。 トゥージののなからな 一分田一ちゃか イトドチーのボークルの・ショウルー **\$ \$**

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ILLINOIS REGISTER

DEPARTMENT OF PROPESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

Section 1175.1001 Examination - Nail Technician

- Eliqibility. Each applicant must meet the following requirements: Be a graduate of Has--graduated--from Pursuant to Section 3C-2 of the Act: Be #s at least 16 years of age. (A
- Be a graduate of Hea-graduated-brow a cosmetology or nail technology school approved by the Department to teach hail of nail tecnnology an eighth grade technology in accordance with Subpart X of this Part, snar extending over a period of not less than 3 ±3 weeks nor more elementary school or its equivalent; and which includes 350 nours in the study
- examination, on forms provided by the Department, at least 15 days Each applicant shall file an application prior to an examination date. The application shall include: than 2 consecutive years. Application. 9
 - 1) An official transcript showing successful completion of the as set forth in Section 1175.1145; or, for those retaking the training (60 hour refresner course) as required by Section 3C-7 passing grade on the final examination administered by the school unsuccessful attempts, official transcripts snowing successful completion of remedial required training cutlined in subsection (a)(2)(B) above Department examination after 2 two
 - Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if a different name appears Supporting documents; of the Act;
- A complete work history since graduation from a nail technology school or a cosmerciogy school approved to teach nail technology;

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in Section 1175.100 of the Act who has graduated from a nail technology program in another jurisdiction with less than 350 hours may acquire a maximum of of nail rechnology training from a licensed Illinois pursuant-to-Section-it95;ig0tattat. The required fee set forth cosmetalogy school. An applicant 0

effective Reg. 45 (Source: Amended

Section 1175.1005 Examination - Nail Technology Teacher

- Eligibility. Each applicant must meet the following requirements pursuant to Section 30-3 of the Act prior to filling an application for the nail technology teacher examination: (a)
- - Be is at least 13 years of age; Have Has graduated from high school or its equivalent; Hold Heids a current <u>license</u> certificate--ef-registration as

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- license regretered cosmetologist or nail technician; and Either: 7
- A) Have Hee completed 500 hours of teacher training in an approved cosmetology or nail technology school with-at-least 158-hours-in-advanced-nail-technology-training and has had at least 2 years of full-time experience as a practicing Have Hes completed 525 ±7888 hours of teacher training in a nail technician; or 9
- school of cosmerology approved in accordance with Section 1175,1105 or school of hail technology approved in accordance with Section 1175.1100.
 Application. Sach applicant shall file an application, on forms
- provided by the Department, at least 45 days prior to the examination Proof of any name change (i.e., marriage license, divorce decree, The application shall include: date. (q
 - affidavit or court order) if a different name appears on Supporting documents;
- The required fee set forth in Section 1175.100 pursuant -- to Section-175-100ta+(27;

Either:

- of teacher training as outlined in Section or i175.1140 of this Part and 2 employment A) An official transcript from an approved school of nail technology or cosmetology showing successful completion of verification forms snowing at least 2 years of full-time Ö 500 hours
 - An official transcript from an approved school of nail technology or cosmetology, showing successful completion of experience as a practicing nail technician; or 9
- 17600 hours of teacher training as outlined in Section A complete work history since graduation from a nail technology 1175.535 or 1175.1140 of this Part2+
- A copy of the applicant's current Illinois nail technology or or cosmetology school: and 5
- If the applicant is licensed in another state, a certification of licensure from the state of original licensure and from the state in which the applicant predominantly practices and is currently cosmetology license; and -

Ill. Reg. 50 at (Source: Amended

Section 1175.1010 Examination

A separate examination shall be administered by the Department or its teachers and shall cover subject matter as set forth in Section 3C-7 designated testing service for nail technicians and nail technology of the Act.

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- The passing score on each examination is 75. Retakes for Nail Technicians G G
- An applicant who fails to pass a third second examination for icensure as a nail technician must submit an official transcript from a cosmettingy school approved to teach nail technology or a technology school approved by the Department showing successful completion of a 60 hour refresher course prior to taking the examination a fourth third time.
 - An application upon Admillog the Court of Court of Admillog the Court of Cour
 - snall count as the first. 3
- An applicant shall make a written request for an examination retake at least 45 days in advance of the examination date. Such a request must include the required examination fee and official transcripts when further study is sequired in accordance with subsections $(c)(\lambda)$ and (2) above. 7
- An applicate non Sail to page a stated exemption, mass such a difficial respector from a lighted exemption sector. Sportus general mail remnolagy seathers or a lightness stall tempolary sector provides or seath mail remnolary accounts accessful completion. If an 30 most reference course state accessful completion. Retakes for Nail Technology Teachers
- examination a fourth time.
 An applicant your failing the fourth examination, must submit an An application transcribe from an approved mail recomplication. OFFICIAL transcript from an approved nail rechnology or cosmercicy school showing successful repetition of the entire course of mail technology teacher training prior, to taking the examination a fifth time. 7
 - An applicant snall make a written request for an examination
 - retake at least 15 days in advance of the examination date. Such a request must include the required examination fee and official transcripts when further study is required in accordance with subsections (d)(i) and (2) of this Section.

Reg. 0.3 Source: Amended at

Section 1175.1015 Application for Licensure

1) A complered and signed licensure application that which the Applicants for licensure based on successful completion of the examination shall submit to the Department: a)

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- applicant will receive with the notification of successful decree, affidavit or court order) if different from that shown on Proof of name change (1.e., marriage license, divorce pre-printed licensure application, and completion of the examination; 5
 - is are applying for a nail technology teacher's license shall not be application shall be submitted to the Department that which includes: Any cosmetalogy teacher Cosmetatogy teachers licensed in Illinois required to take the examination set forth in Section 1175,1005. The required fee as set forth in Section 1175,1004a+424. 9
- A copy of their current cosmetology and cosmetology teacher licenser
- A complete work listory since completion of teacher training; and
 The required fee set form in Section 1175,100.
 Nothing in this set requires a literated connecticity or literated to obtain a license to practice or to teach nail cosmetology teacher

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Section 1175.1020 Endorsement

- shall file an application, on forms provided by the Department, which An applicant currently licensed as a nail technician in another jurisdiction and who is seeking licensure in Illinois by endorsement shall include:
 - A certification from the jurisdiction of original licensure Stating:
- AlBt A brief description of any licensure examination taken and the scores received; and
- Official transcripts from the school(s) attended by the applicant showing the courses completed and the hours received with the Blet Whether the applicant's file contains any record disciplinary actions taxen or pending1.
 - Certification of current licensure if other than original school seal affixed;-
- A complete work asstory snowing all employment since graduation from nail technology school to present; 11censure:
 - Proof of any name change (1.2., marriage license, divorce decree, that shown affidavit or court order) if name is other than attached documents:
- Department in the application review. The Department shall make copy of the incensing Act applicable on the date of original licensure showing requirements for licensure if requested by the The dequired See set forth in Section 1175,100(a)(6); and

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- An applicant who has graduated from a nail technology program in jurisdiction with less than 350 hours may acquire a maximum of 50 hours of mail technology training from a licensed such a request if the application materials are incomplete.
 - An applicant currently licensed as a nail technology teacher in another jurisdiction and who is seeking licensure in illinois by endorsement shall file an application, on forms provided by the a certification from the jurisdiction of original llinois cosmetology school. Department, which shall include:
 - licensure AA Whe --- number--of--nearly--tennalogy--tennal--staing--hours 10000110001
- A)B+ A brief description of any licensure examination taxen and 8)87 Whether the applicant's file contains any record of disciplinary action taxen or pending; the scores received; and
- Official transcripts from the school(s) atrended by the applicant with the showing the courses completed and the hours received school seal affixed,
 - of current licensure if other than original Certification licensure:
- Two Verification of Employment forms submitted by the applicant who completed at least 500 hours of reacher training but less than 525 ±7999 hours. A nail tecnnology seamer applicant shall submit seeme yerification of 2 years of Lawful practice as a nail technician or cosmethiogist to-de-submitted; or
 - Dwo Verification of Employment forms snall be submitted by the applicant for a mail technology reacher license no is applying on the masis of 3 years of lawful practice as a mail technology On the basis of 3 years of lawf teacher in another jurisdiction;
- 615+ A complete work distory showing all employment since graduation from basic hail technology school to present;
 - 7167 Proof of name snange (i.e., marriage license, divorce decree, that shown affidavit, or court order) if name is other than any of the documents submitted; ++
- 第一十のの少くとしのは、一つなると、これのないできないないないないないないないないないできないできないのでしてない。 The required fee set forth in Section 1175.100(a)(6); and Paul and the transport of the transport
- A copy of the licensing Act applicable on the date of original licensure showing requirements for licensure if requested by the Department in the application review. The Department shall make such a request if the application materials are incomplete.
- for incensure as a nail tecnnician who is licensed in another jurisdiction shall be given 75 nours of educational credit for every 12 month period during waith levehe was lawfilly employed as a mail tecnnician. To optain credit for work experience, the applicant shall submit verification of employment in support of the work

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on forms provided by the Department. A certification of in which the lawful practice is licensure from the jurisdiction

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An applicant applying for licensure as a nail technician or nail tecnnology teacher on the basis of endorsement who has previously failed the incensing examination in Illinois shall not be approved for licensure on the basis of endorsement unless and until he/she provides verification of successful completion of a substantially equivalent Section 1175.1910(c). The successful completion of the substantially equivalent examination and fulfillment of applicable requalification requirements must occur after the most recently failed examination licensure examination and fulfills the requirements set forth claimed must also be submitted. attempt in Illinois.

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- licenses registration issued under Every nail teconician, mail technology teacher and nail technology school license Article 3(C) of the Act shall be October 31, 1996. shall expire on October 31 of each even numbered year. renewal period for Section 1175.1025 Renewals (p
- The noiler of a license estriffeate-of-registration may renew the license that centrate teat during the month preceding its expiration date. œ.
- Applicants for renewal as nail technicians shall: Return a completed renewal application. Û
- Certify on the renewal application that they have successfully completed a minimum of 10 nours of continuing education from a nail technology continuing education sponsor approved by the Department in accordance with Section 1175,1200 of this Part, within the 2 years prior to the expiration date of the license.

For the October 31, 1998, renewal, each individual who applies for renewal of a nail technician license, other than first time renewal applicants, shall be required to complete 10 hours of continuing education in accordance with Subpart

applicant is not required to comply with continuing education requirements for the first renewal renewal B)

The Department may require additional evidence demonstrating compilance with the CB requirements (1.4., certificate of attendance or certificate of completion). It is the responsibility of each renewal applicant to retain or such compliance. context after issuance of the original license. otherwise produce evidence of e, evidence shall be required Department's random audit.

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thoshes-may-electro-obtain-the-continuing-reducation-recurs ●自一のの出者」から古古者も1トをあるおお一个成立を保定を自立し二日のけれなりもののなのし、即のししななもに引引が取引が取ります。 中のこの他のできましているのではなからしているのできないとなることがあるというないのであることのできないないできませんできません。 Sontthuting--education to manage the section of the section y-- we also the Nath-rechnicians--who--atso--hold-s-math-technology-teacher PROBL-4-TBAN-1-TAGGROUPOGW-TABGGROUP-GGGGHUGGHUGG-BGKGBGGGG-AUGGGG

- 上間ののおかれた。一切をおりからからないないないないないないないないです。 でんしゅう はいない しゅうしゅうけん Submit the required fee set forth in Section 1175. 200(a)(3).
 - Applicants for renewal as nail technology reachers shall: Return a completed renewal application.

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- by the Department, in accordance Section 1175.1200 of this Part, within the 2 years prior to the Gertify on the renewal application <u>that they have successfully completed</u> or the constitution of the successfully continuing sducation from a nail technology teacher continuing expiration date of the License. education sponsor approved
- For the October 31, 1998, renewal, each individual who applies for renewal of mis/her nail technology reacher license, other than first time renewal applicants, shall de required to complete 20 10 hours of continuing education in accordance with Subpart L. Ten (10) of the nours small, be in reacting methodology, educational psychology and olassicom management or other subjects related to reaching.
- A renewal applicant is not required to comply with the first renewal The Department may require additional evidence demonstrating compilance with the continuing education requirements (1.e., continuing education requirements for after issuance of the original license. 6
- certificate of attendance or certificate of completion). It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compilance, be required in Department's candom audit. Spall evidence
- Failure to receive a renewal form from the Department shall not constitute an excuse for failure to zenew a It is the responsibility of each licensee to notify one Department 3) Submit the required fee set forth in Section 1175,100:a1(3). any change of address. (e)
- or operating on a license that which has expired snall be considered unlicensed activity and snall be grounds for discipline bursuant to Section 4-7 of the Act. Practicing license. ()

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- which has been expired for less than 5 years shall submit an A person applying for restoration of a nail technician license that Pay the required fee as set forth in Section 1175,100(a)(4); and application on forms provided by the Department; and
 - A person applying for restoration of a nail technician license that 10 hours continuing education in accordance with Section 1175.1200(c). completion of Provide evidence of successful

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- which has been expired for 5 years or more shall submit an application another jurisdiction within the 5 years preceding application for Verification of employment, attesting to lawful practice on forms provided by the Department along with:
 - Certification from the appropriate licensing authority in the An applicant practice (as in another showing successiul completion of a 60 nour hall technology refresher course from an approved cosmetology or nail technology school applicant who completes this refresher course shall not also in Section 1175,1001. jurisdiction snall also submit official transcripts for restoration who has not maintained lawful determined by the laws of that jurisdiction) unisdiction in which lawful practice is claimed. the examination set forth
 - A complete work nistory showing all employment since the Illinois required to complete id hours of continuing education; license Lapsed;
- Evidence of successful completion of 10 hours of continuing A completed Pestoration Questionnaire; 6
 - immediately preceding education earned within the 2 years restoration; and
- If restoring after active military service, the applicant shall submit a copy of nis/her Honorabie Discharge form (DD-214) and the current The required fee as set forth in Section 1175.100(a)(4).
 - be restored until such time as he'she has successfully completed the If an applicant takes and fails the examination, the license will examination.

effective Reg. 4 (Source: Amended

Section 1175.1035 Restoration - Nail Technology Teacher

- A person applying for restoration of a nail technology teacher itemse that waten has seen expired for less than 5 years shall submit an application on forms provided by the Department; and
- continuing education in accordance with Sections 1175,1200 and Provide evidence of successful completion of 20 ±0 hours of

Pay the required fee as set forth in Section 1175.100(a)(4) of

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175.1210 of this Part Section-1175-1288(d).

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- which has been expired for 5 years or more shall submit an A person applying for restoration of a nail technology teacher license Verification of employment, attesting to lawful nail technology application on forms provided by the Department along with:
 - teaching practice in another jurisdiction within the 5 years Certification from the appropriate licensing authority preceding application for restoration; 2)
- unisdiction in which lawful practice is claimed. An applicant who has not maintained lawful practice (as the laws of that jurisdiction) in another jurisdiction shall also submit official transcripts showing successful completion of a 250 hour nail tecnnology reacher refresher course from an approved cosmetology or nail reconclogy scnool or pass the 'eacher examination set forth in Section 1175,1805. An applicant who dompletes this refresher course shall not also be required to complete 20 to nours of continuing for restoration ò determined education;
- A complete work history showing all employment since the Illinois license lapsedir
- Evidence of successful completion of 10 hours of continuing The required fee as set forth in Section 1175.100(a)(4). immediately education earned within the 2 years A completed Restoration Questionnaire; restoration; and
- If restoring after active military service, the applicant shall submit of his/her Honorable Discharge form (DD-214) and the current renewal fee. a copy
- If an applicant taxes and fails the examination, the license will not be restored until such time as he/she has successfully completed the examination.

effective Reg. 20 a, (Source: Amended

SUBPART K: NAIL TECHNOLOGY SCHOOLS

Section 1175,1100 Nail Technology School Application

- An applicant for a nail rechnology school license shall submit a completed application to the Department with the following information and documentation: (m
 - Section A copy of a lease showing at least 1 one year commitment to the use of the school site or certification of ownership of the A detailed floor plan consistent with requirements 1175.1110(a)(l) of this Part;
 - is a corporation, a copy of the Articles of proposed school site; OWner the

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- Incorporation;
- If the owner is a partnership, a listing of all partners and A signed fire inspection report from the local fire authority within 5 months of the application giving approval for use of the their current addresses; 4 6
- A certified financial statement prepared by a licensed public accountant who is not an employee of the school, indicating sufficient current finances exist to operate the school for at 子を含むななななななのののはは、おのないな」ののなななのでしたののしたののないとのしななななななないないの the -- schook-- bor-- at-- beast-- 9- montes - ks-evidenced-by-the-canerie 一つのにないる カー・このの関係をもなるのであるとのないのとしているというのできるののであっ stgnature-descrifying-the-information-is-temes site as a school; (9
 - be used by the school that which shall be consistent with the requirements of Section 1175.1115 of this Part; A copy of the official enrollment agreement student -- contract 5
 - of all nail technology and cosmetology teachers, their teacher license numbers, who will be in the school's employ: + A listing including 8
 - A copy of the school's official transcript; and A copy of the curriculum that will be followed; 10)
- 11) The required fee set forth in Section 1175.100(b)(1). When the above items have been received, the Department shall inspect the school premises, prior to school approval, to determine compliance with this Subpart. School operations shall not begin nor shall the school in any way solicit student enrollment until the school has (q
- received written notice of approval from the Department. Approval shall be granted if ail the requirements of Subpart K have been met. Nail technology schools shall only offer instruction technology and nail, technology teacher education. G

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- Section 1175.1105 Cosmetology Schools Approved to Teach Nail Technology
- conduct of an approved cosmetology school below the minimum Existing cosmetology schools that wish to provide nail technology Provide at least 300 square feet of space to accommodate 5 fave work stations. If attendance exceeds 10 on the clinic floor at any time, an additional 20 square feet is required for each addittlonal work station required by subsection (a)(4)(A) below. 引のサートのおけのから引き合わせーセケをサートラフ・リコの・ののコののか一回はのセータのクタンはの・おは一からはかかからのかとしよの use of this space shall not reduce the square footage for the agnate-deet-waron-tackades-s-work-statebon-and-patnon-onsiteinstruction shail:
- File an application with the Department, on forms provided by the requirements set forth in this Part, 5

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Department, which shall include: A detailed floor plan,

- A signed copy of a fire inspection report from the fire inspection authority within 6 months of the application giving approval for use of the site as a school;
- icensed by the Department pursuant to the Illinois Public A---compiesed----denomination---中にかしかだけでのこのしたいものでしません一切のは「ののかなかかけれながけ」したのかのののガーしなかししないもだをなせなかの のだか!」かだれたいかかりもの!」のいかのおだがかの!」のy かるだとの!」のだか! - A.G. - こりもしにもりれたの! accountant Accounting Act and who is not an employee of the school, indicating sufficient current finances exist to oberate 3 financial statement prepared by a public Tonche for at least 3 tariornation-sa-coust
 - A copy of the enrollment agreement studentis-contract to A ccpy of the nail technology surriculum; used by the school; â
- A listing of all nail technology and cosmetology teachers, including their teacher license numbers, and will be in school's employ: G G
 - The required fee set forth in Section 1175,100(b)(1). A copy of the school's official transcript; and 3
- When the above items have been received, the Department shall inspect the school premises, prior to approving the school, to In addition, the school shall meet the following: determine compliance. 7
 - At least one One patron work station, including patron Every work station shall have a disinfectant tray and chair, manicuring table and student chair, for every students enrolled. 3
- Provide a nail tecnnology curriculum in accordance with Sections 1175.1135 and 1175.1140. disinfectant solution.
- pe required to comply with all provisions in this Part except Section Cosmetology schools approved to teach nail technology shall 1175.1110(a) and (b).

Reg. 45 1) (Source: Amended

effective

Section 1175.1110 Physical Site Requirements

- 1) A nail school shall have a minimum of 500 square feet of work space for a maximum of 10 students. An additional 30 +8 square feet is required for each additional work station if attendance Space Requirements
- Work space shall include the dispensary area but shall not exceeds 10 students in the clinic area at any given time.

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classrooms, restrooms, halls, checkrooms, locker space, storage areas, student lounge, cloak space, public waiting areay The school shall be partitioned to provide for the following or other areas or facilities for administration.

- Dispensary area
- Classrooms
- Separate restrooms for males and females Cloak space
- Public A-proted waiting area separated from the work area
- Student A-student Lounge area 000000000000
 - Storage space
 - Locker space
- Other areas for school administration Work stations

Equipment Requirements - Ail equipment shall be in working condition sufficient for the number of students enrolled. Minimum All areas of the school shall be ventilated and lighted. (q

requirements for school equipment are A--scheol--shall-haye---ne - DESERBITED - ECKNOTHON

- An entrance sign designating the name of the school;
 - A sencel seal:
- A minimum of 5 parron work stations. For enrollment over 10, 1 A time clock or other equipment nec.ssary for verification attendance and hours earned;

of

- Every gatton work station shall include a patron chair, manicuring table and student chair for every 2 students enrolled; one patron work station per 2 two students; 2)
 - Every patron work station snall have a disinfectant tray and (9
 - Trays for nail tecnnology supplies; disinfectant solution;
- 8)94 Eye guards, protective Protective Garments and masks should be for to--ce-wern-oy patrions and students upon request; available

9)149 Desk/table space and a chair for each student in the classroom; 10) ** Adequate cumper of covered waste and linen disposal cans thetractions

placed at convenient locations;

- 111)±29 Closed capinets for storing clean towels; and 12)±39 A mannequin hand for each student.
- All instruments snail be disinfected before and after use on each 1) Clean cuter garments must be worn at all times. 2) All instruments moving an arrangement. Sanitary Regulations G
- Clean towels shall be used for each patron.
- Hands must be cleansed with an antimicrobial agent before and after serving each patron.

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- patron, implements and electrical equipment other equipment should be washed in water and sanitized must be disinfected according to manufacturer's specifications. on each before use.
 - Maniburing table coverings must be disposed of or laundered and sanitized after each patron.
 - products cosmettes shall be kept in clean, closed containers
 - and be applied by sanitary applicators. All nail cnemicals must be kept in labeled containers.
- Owner, manager, seacner or school administrator shall knowingly permit any person suffering from a serious communicable disease as defined in 77 Lil Adm. Code 690 to work on the premises or knowingly permit a student to serve a patron with a o_N
 - No animals or pets, except seeing eye/hearing dogs, shall be serious communicable disease. permitted on school premises.
- il) The floors, walls and furniture shall be kept clean at all times. 12) An adequate supply of hot and cold running water shall be available for school operation. Textbooks Teaching Materials - Textbooks shall be provided for each (p
 - Teachers The student/teacher ratio during clinical instruction shall not exceed a 20 ±0 to 1 ratio. student in attendance.

Reg. 20 34 (Source: Amended

Section 1175.1115 Enrollment Agreements and Refund Policies Student-Contracts

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- All licenses and seminory across assistances according to the design of tarse day of class attendance, the school may retain no more than by Commission of the Commissio the application and registration fee, plus the cost of any cost of the accks to the school.
 - For students who enroll in and begin classes, tuition adjustment snail be made in the following manner:

PERCENTAGE TIME TO TOTAL

TUITION OWED TO THE SCHOOL AMOUNT OF TOTAL

3.01% to 4.9%

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10% to 14.9%				
to 14				
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DEPARTMENT OF PROFESSIONAL REGULATION

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10341364-83811-06-4018-‡

effective Reg. 20 Source: Amended

Section 1175.1125 Recordkeeping - Transcripts

Each school shall provide an official transcript showing the entire course work of each student. The official transcript shall contain the following information: e G

School Sencetts name and address; School seal;

School license number;

Signature of the owner, registrar or director of the school; Student's name, address and social security number;

Subject areas, hours earned and grades received; Acrual dates student attended;

the and hours earned Any transfer hours, citing the name and address of subject areas, from, ransferred eceived:

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- Final examination grades; and
- The official transcript and school records for each student shall be Graduation date. â
- If maintained on the school premises, they shall be maintained in transcripts are maintained on a computer system, history tapes or discs of all official records must be stored in a locked, fire If official permanently maintained by the school in the following manner: fire resistant fireproof cabinet. locked,
- <u>resistant</u> **rreproof cabinets, duplicate student records, including the official transcripts, snall be maintained at a If records cannot be maintained on the premises in locked, fire separate iccation which shall be made known to the Department. Such records shail be accessible to Department officials for resistant freeproof capinet.
 - A copy of the rranscript shall be given to the student upon graduation all financial obligations in the <u>enrollment agreement</u> student-contract or other permanent exit from the school provided the student has inspection.
- An official transcript and school records for students who withdrew or dropped out of a program shall be maintained by the school for 7 years from the student's first day of attendance at the school. as set forth in Section 1175,1115. ə

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	(Source:

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Section 1175.1130 Recordkeeping - Hours Earned

(a)

- A complete and accurate record of hours of attendance for each student If a time clock is used, each student snall punch his/her own time No student, reacher or any other person shall punch the time card of another student. If a time clock is not used, there shall be another verifiable method used by the school to record student nours. The records must be in a form that which allows the student to receive a written report of nours earned. This report of hours earned shall must be recorded and maintained by the school. be provided to the student on a monthly basis.
 - Gradit for nours earned away from the school premises shall be awarded only if students are supervised by a licensed instructor o_E by a licensed mail technician of a licensed cosmerciogist in the case of an educational programs, film feims -- end demonstrations and internship verksnops, Hours sarned away from one school premises shall be recorded on school Gredic nours for ourside study may include craining in a registered salon. internship. ê
 - date attended, signature of time forms. These forms shall include: the school seal, student, and signature of supervising, licensed instructor. program attended, student, event or
 - Instructors shall review monthly the hours earned by each student.

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- Time cards may be destroyed upon the student's permanent exit from the Dach month the instructor shall issue a signed written report to the student showing the actual number of hours earned by the student. school and after all hours earned are recorded on the
- A licensed instructor shall provide co-site supervision for supervise all classroom, practical and clinical study. No credit shall be given An hour is not less than 50 nor more than 60 minutes of instruction. for unsupervised instruction seady. 66

transcript. The transcript shall be retained indefinitely.

Reg. at t (Source: Amended

Section 1175.1135 Curriculum Requirements - Nail Technology

- Each licensed cosmetology school teaching a nail technology curriculum each licensed nail technology school shall provide a minimum of 350 hours of course instruction as follows: (1)
- application (i.e., practicing nail technology on the public) and technical application (0.g., practicing the technical application Basic Training General-theory-and-practical-application - 50 95 hours of classrcom instruction in general theory practical on a mannequin <u>finger(s)</u> finger or on the another student) snail be provided in
- History of nail care;

the following subject

- Personal hygiene and public health;
- Professional ethics;
- 0 6 6 6 6
- Sterilization and disinfection;
 - Disorders of the nails; Bacteriology;
- OSHA standards selating to material safety data sheets
 - Technical applications of chemicals. Chemicals and their use; and MSDs) on chemicals;

Related

- concepts 15 hours of classroom instruction shall be provided in the following subject areas: Cells, metabolism and body systems;
 - Theory of massage; and People skills.
- Practices and Procedures 255 220 hours of instruction, which shall be a combination of classroom instruction and clinical practical application, shall be provided in the following subject Fabric procedures; reas:
 - Sculpting procedures: Light cured gels;
- Machines or apparatus used in nail technology;

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- (A) (C) (A)
- Hand, Arm and Foot Massage; Pedicures;
- Other procedures as they relate to nail technology; and Product knowledge as it relates to nail technology.
- Business Practices 30 hours of classroom instruction shall provided in the following subject areas: 7

þe

- Illinois Barber, Cosmetology, Esthetics, and Nail Technology Act and Rules;
 - Management;
- Internship Program is an optional part of the curriculum. Sach OSEA standards relating to chemical use; and Workers' Compensation Act. 3
- An internship program:
 - hours set May be part of the curriculum of a licensed hail teconology school and shall be an organized preplanned training program designed to allow a student to learn technology under the direct supervision of a licensed cosmetologist or licensed nail tecnnician in May be substituted for 35 hours of the 350 forth in subsection (a) of this Section.
- May participate in an internship only after completing A student in the internship program: a registered salon.
- 175 hours of training and have a minimum average grade of 80. A school may set the average grade higher and set other standards that a student must meet to participate in the internship program.
- May not be paid while participating in the internship

May not spend more than 35 hours in an internship

t is a part of the nail technology curriculum of the school. program as

3

- May work a maximum of 8 hours a day and shall be required to spend 1 day a week at the school. Shall be under the direct prestsion of a licensed cosmetologist or incensed nail reconologist.
- Only istudent small be supervised by I licensed cosmetologist or licensed hail reconclogist. A licensed nail reconolcyy school snail state clearly in the student contract that the school offers an Ö
- contract with the student, the registered salon and licensed cosmetologist or licensed nail technologist which contains the licensed nail technology school shall a

program.

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all of the provisions set forth in this Section and any other requirements of the internship established by the school and the licensed cosmetologist or licensed technologist. Any party of the contract may terminate the the student, school. The contract shall be signed by school and the licensed cosmetolo contract at any point.

technology student is not permitted to practice on the public until he/she has successfully completed the 95 hours of general theory and practical application specified in subsection (a)(1) above. A nail

Reg. 20 (Source: Amended at

Section 1175.1140 Curriculum Requirements - Nail Technology Teacher

- An approved school that which intends to provide teacher training must utilize a teacher curriculum which includes a minimum of 525 27988 1) 125 950 nours of Post-Graduate School Training that nours as follows: (p
- Section 1175.1135, including theory and practice. Presentation includes all subjects in the pasic nail tecnnology curriculum in taught and the skills to be acquired during the various phases of of material must include the concepts that are intended to basic education.
 - #58--setre--of--advanced--seti--technology-braing-se-defined-in Section-1275-1005(a)(4)(A)-
- evaluation of learning they which relates to reaching. This course shall be presented by a person qualified to teach contentional psychology at the college level of a Licensed 2)39 20 nours of Educational Psychology which shall include, but not characteristics and development, the learning process and an cosmetology or nail technology teacner who has completed a course an equivalent program. These nours shall be warved on behalf of Educational Psychology at an accredited college or university. Within-the-Eive-years-thmeditately-preseding-admission-to-the-math of instruction that water included the topics set forth above nail technology teacher students who have completed a course be limited to, topics in educational objectives,
- limited to, topics in individual differences in 3149 20 hours of Teaching Methods (Theory) that watch shall include, learning, lesson planning and design, lesson delivery, assessment of learning performance, classrcom management, student notiration Inis course shall be presented by a person qualified to instruct in Teaching Methods - Secondary Level at a coilege or university or a licensed cosmetology or nail technology teacher who has completed a course of instruction that which included topics set forth above or an equivalent and classroom climate.

technology-program-

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Methods - Secondary Level at an accredited college or university. **thinn-the-five-years-immediately_preceding-admission-to-the-nash on behalf of nail a course in Teaching These hours shall be waived completed technology students who have technokesy-heacher-program-

1)57 157 nours of Application of Teaching Methods that include which preparation and organization of subject matter to be presented on a unit by unit basis; and presentation of subject through application of varied methods (lecture, Presentations must provide reaching objectives to be accomplished and correlate demonstration, testing and assignments). theoretical with practical application.

5167 50 nours of Business Methods that which include: inventory, Cosmetology, Estnetics, and Nail Technology Act of 1985 and 68 record keeping, interviewing, supplies, the Illinois Barber,

6197 160 hours of Student Teaching under the <u>on-size</u> direct Supervision of an Illinois Licensed reacher. The Student reacher shall present theoretical and practical demonstrations to students in one basic curriculum. [11] Adm. Code 1175.

The approved curriculum for a 500 nour Teacher Training Course shall exception of the 125 hours of Post-Graduate Training, provided-for-in De based upon 2 years of practical experience and shall consist or eacher Training Gurriculum outlined in Section 1175,1140 with the Section 100-07 は子介は子一の第24の第一条のの「BBBB」ののあるかのでしてある。

Section-122557±095tattattatt

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Phese-hears-snark-se-warved-on-benaké-of-nakk-technokogy-students Who-have-compressed-a-course-in-Teaching-Methods---Secondary-Sever which theitaded topics - set forth above - or - an - - equivalent - program:

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Reg. 20 at (Source: Amended

Section 1175,1145 Final Examination

- A school shall require each candidate for graduation to pass a final examination which shall test the student's theoretical and practical knowledge of the curriculum studied. a)
 - the practical examination shall test the candidate's skills in the following areas:
 - Acrylic free form and overlay procedures,
 - Manicure: Pedicure;
 - Gel;
- Safety and sanitation procedures. Wran procedures; and
- area. The standard performance priteria for each skill area shall be standard performance ornreria established by the school for each skill delineated in the examination records as specified in subsection (h) uniform application The examination snall be administered by the
- score of 75 or greater shall be required on both the theoretical and practical portions of the final examination. A passing ç
- The school shall allow each candidate for graduation at least) the administration of the final may monitor attempts to pass the final exam. The Department (e

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- As a result of a complaint received;
- To collect data; and/or For random sampling;
- When the Eailure rate on the licensure examination for school graduates is greater than 25%.

Department snall maintain records of each school's graduate

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- only lists examination artempts for each graduate. The seasination contains and the seasination artempts of the seasination are seasing and the seasination are seasing examination of the second for a school state of the second artempts of the seasination are seasing examinations and the seasination are seasing the seasing examination and the seasing examination are seasing examinations and the seasing examination are seasing examinations. のからできます。 日本のでは、日本のでは、日本のでは、日本のでは、「日本の「日本の」、日本の「日本の「日本の」、日本の「日本の」のようにはなる。 小川村のカー・のでものものに……ののチートかの――女の村との村――村のおののは、一つからなったが、「ちか、」」とからの「このかなり」なったのなったか The records shall failure cate on the licensing examination.
 - The school shall maintain secords of the final examination for a period of no less than 5 years in the manner prescribed in Section 1175.1125(b) of this Part. These records shall include:
 - A copy of the final examination administered; and

 - Sach student's examination grades.

(Source: Amended

effective

Section 1175.1150 Change of Ownership

- When the ownership of an approved school changes, the new owner shall, the school is within 5 working days from the date title to transferred, mail to the Department the following: 1) An afficavit stating that the contract is (a)
 - pertificate being issued to the new owner. If this is not contingent

on a

- provided, the school must close on the date of the transfer and remain closed until a new certificate is issued; A signed and completed school application;
 - A floor plan if any expansion is to be done by the new owner; 733
- A copy of a lease agreement showing at least a 1 one year A copy of the student contract that will be utilized by the new commitment or certification of school site cunership;

CWDer:

- If the owner is a corporation, a copy of the Articles of owner is a partnership, a listing of all partners and Incorporations
- A signed inspection report by the local fire inspection authority their addresses;
 - by a licensed public accountant wno is not an employee of the school, indicating Within 5 months of application approving the school site; A certified financial statement prepared by a licensed

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sufficient current finances exist to operate the school for at 3 months: A--cempiete--Einancial--statement--of--assets, trabitities -- and -- net -- worth -- showing -- the -new-owner's -activity -to operate-the-school-for-3--months--sa--evidenced--by--the--owneris #Agnature-certtifythg-that-one-thiosumatton-re-tue-

- If a name change is to also occur, the new owner must submit a sample of the new school seal and a photo of the new school sign;
- will be granted if ail of the requirements of Subpart K have been met. conduct an inspection prior to approval of the change of ownership. Approval Once the above liens have been received, the Department shall 11) The required fee set forth in Section 1175.190(b)(2).
- effective Reg. (Source: Amended

Section 1175.1155 Change of Location

When the location of an approved school is changed, the school owner 1) Written notice to the Department at least 30 days in advance of shail submit to the Department the following:

the school site change;

- A copy of a lease adreement showing at least a lone year A floor glan drawn to a scale specified on the drawing: A signed and completed school application;
- An inspection seport signed by the local fire inspection authority within 6 months of application approving the site; and commitment or certification of ownership of the school site:
- Once the above items have been received, the Department shall inspect the premises to determine compliance with this Part. School Operations shall not begin at one new location nor may the school in any way solicit student enrollment until the owners have received The required fee set forth in Section 1175,100(b)(3). (q
- criginal premises, a temporary site may be used to teach theory if the change of location is due to natural destruction granted if all requirements of Suppart X have been net. classes only. Û

notice of approval from the Department. Approval will be

written

- 1) The remporary size must be inspected prior to its use and must possess light and ventilation, tables and chairs for the number of students in a classroom, and must be clean.
- month period can be extended for good cause. Good cause includes, but is not limited to, unexpected delays construction, delays in lease arrangements; or delays The remporary side may be used for a period of 2 months. equipment delivery.
- effective Reg. 20 at (Source: Amended

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Section 1175.1160 Change of Name

change, along with the required fee specified in Section 1175.100(b)(4), shall At the time of the change in name, all identifying signs and materials must be changed to conform with the new name on the school When changing the name of a licensed school, a written request for a The Department snall be mailed 30 days in advance of any name change. new certificate. issue a icense.

effective Reg. 2.0 at (Source: Amended

Section 1175,1165 Expansion

- Written notice shall on given to the Department 30 days prior to any (8)
- When the expansion will result in an off-site classroom location, a completed application must be submitted along with: expansion of an approved school. 9
- A detailed floor plan <u>drawn to a scale specified on the drawings</u> A gogy of a lease snowing at least a Lone year commitment to the procesed 947 use of the site or dertification of ownership of
 - A signed fire inspection report from the local fire authority
 - A statement from the school owner outlining the purpose of the within 6 months of application giving approval for use of site as a classroom location; 6
- A listing of any and all additional teachers who will be added to classroom location;
 - A financial statement prepared by a public accountant licensed by the school, indicating sufficient finances exist to operate the school for at least 3 months; and A-tinanctal-statement-of-sesetsy-dispetitions-and--net それののおもののです。のからのできないからののです。 かまかまなまなしないないしかいない 一切のないできないなどとしないないない やのからののはなートののはないからしから、から、から、からないない。 ローローののはないない ローローのののない 100 でんり 100 でんしゅう the Department pursuant to the Illinois Public Accounting Act the teaching start as a result of the expansion; emptovee. s not an (9
- off-site classroom location is defined as a separate classroom located within 5 miles of the main school site which serves to provide A clinic be operated at an off-site classroom location. A school may establish only one off-site diassroom location. All identifying signs The required fee set forth in Section 1175,100(b)(3). adequate space in which to train an overflow of students.
 - When an on-site expansion is to accommodate an increased enrollment, a 1) A detailed floor plan drawn to a scale specified on the drawing: and materials must reflect the name of the main school. completed application snall be submitted along with:

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- A listing of any and all additional teachers who will be added to owner outlining the purpose of A statement from the school expansion:
 - in Section forth the teaching staff as a result of the expansion; and set inspection fee as regulred 1175.190(b)(3).
- Upon receipt of the above items, the Department shall inspect the be used until the inspection has occurred and the owner has expansion site to determine compliance with this Part. The site shall written notification of approval from the Department, will be granted if all of the requirements of Subpart K have received been met. Approval

Reg. at (Source: Amended

Section 1175.1170 Discontinuance of Program

- Department shall receive a minimum of 30 days written notice of a The notice shall include the exact location where the student records are to be stored. school's intent to discontinue :ts program. (a)
 - school owner snall notify the Department in writing of the actual All school records shall be maintained after the school closes. closing date of the school. G
 - The school must continue to meet the requirements of the Act and Part until the actual closing date. (p
- student enrolled at the time of discontinuation must be provided an official transcript of all hours earned while enrolled program. Each
- All refunds shall be given to students in accordance with the refund provisions set forth in the enrollment agreement student-contract. G

Reg. at Amended (Source:

Section 1175.1175 Withdrawal of Approval

- technology school when the quality of the program has been The Department may withdraw, suspend or place on probation, pursuant to 68 Ill. Adm. Code 1110, the approval of a school of cosmetology or affected by, but not limited to, any of the following causes: (a)
- Gross or repeated violations of any provisions of the Act or this documentation Fraud or dishonesty in furnishing transcripts or
 - the criteria for school approval in Section for evaluation of the school: Failure to meer
 - 1175.1100;
- Failure to administer the final evamination as specified in this

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- Failure to maintain final examination grades for each student and a master of the examination administered as specified in this 6
- Fraud or dishonesty in providing transcripts to students who have (9
 - fulfilled all obligations under Section 1175.1115; Failure to provide transcripts to students; or
- Illinois Student Assistance Commission that a school has misappropriated or misused grant or loan monies or has aided in obtaining such monies by providing fraudulent or untruthful information; or + A finding by the U.S. Office of Education or 6 3
 - Any other violation of the Act or this Part. Performance Record on Licensing Examination 6 G
- the licensing examination, Department approval of a school shall When a school's graduates have a 25% or greater failure rate be reviewed pursuant to Section 1175.1100.
- licensing examination as compared with the statewide performance record shall be considered by the Department when reviewing c The performance record of by a school's graduates
- The Department shall give written notice and a hearing pursuant to 68 Ill. Adm. Code 1110 when Department approval of a school is Department approval of a school.

effective 20 34 (Source: Amended

being reviewed.

NAIL TECHNICIAN/NAIL TECHNOLOGY TEACHER

SUBPART L: CONTINUING EDUCATION -

Section 1175.1200 Sponsor Approval

- Sponsor, as used in this Section, shall mean a college or university, hospital or health service organization, or a government agency offering continuing education (CE) persent -- draw -- associantent componentiony-or-any-orner-group that has been approved and authorized by the Department to coordinate and present continuing education remy estheticians, esthetic teachers, nail technicians or nail technology vocational or technical school, a trade or industry association, courses or programs for cosmetologists, cosmetology
- continuing education sponsor. The application shall include: A--nark technology---earner--continuing-education-sponsor-sppkcation-snakt-be A maxi-technicism continuing education sponsor application shall be as a next-technician たわりがいかかのしのセポヤーだれしあからわり、これものとのとなるだかなかのなかかに一切のしなものなる名の to be approved filed with the Department â

teachers.

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- copy of the Certificate of Attendance which shall contain the following information: 4
 - The CE sponsor registration number, name and address; Category of CE (cosmetology, nail technician, esthetics); Name and license number of the participant; **ಸಹ**ವನವ
- nour UE course outline, including evidence of appropriate Course :: tle and date of course. Number of hours awarded; and

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- Name and address of the contact person responsible for all facilities, instructor qualifications and content of the course. recordkeeping. នា
- Certification that the sponsor will comply with all sponsor OE requirements set forth in the Subpact. The required fee set forth in Section4-1.5(d) of the Act. a
- directly to a licensee's neit-techniciants knowledge and ability to that are organized programs of formal learning that contribute perform duties as a licensee mait-technicaen. A continuing education program or course must meet the following minimum requirements: A CE nati-technology aponsor shall provide CE courses and
 - M--mank-dechmonogy-domine-or-program-anakh-dachmae-sa-sa-tablect Battest-use-ss-More-of-the-foliatement
 - Brainfectant-procedurest * A
- Ethtmoss-Barbery-Cosmetotogyy-Batheticsyrand-Nati-Wechnology Morkets--Bompensation-Acts-and Ehemicsi-service-procedures: ŧ÷ ÷ e
- Be Att-programs-shakk-be developed and presented by persons with education, training and/or practical experience in the subject By Advanced-nethods:
- 2)34 Include ##--programs--must-include a student evaluation of both instructor and the course. matter to be presented.
 - 3144 Specify Att--programs--shatt--specify the course objectives, content, prerequisites, requirements, the <u>ligensure catagory for</u> which the CE applies and the number of CE hours to be earned. Such information snall be specified in all promotional materials.
- subject areas for cosmetologists, estheticians and mail technicians:
 A) Advanced product chemistry and chemical interaction: in the following 귀
 - The use of machines and implements;
 - Sanitary procedures;
- Exposure minimization: Hazardous chemicals;
- Jodated use of implements as they relate to applicable
- Advanced knowledge of the anatomy of the skin, scalp, hair services under this Act;
 - Human relacions communication skills; and and or natis:

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- Be in the following suppect areas for cosmetology, esthetic and nail technology reachers in addition to the areas set forth in (c)(4) pr this Section. (Cosmetology, esthetic and nail technology teachers are required to complete 10 of the 20 CE Management and marketing. subsection 3)
 - Teaching methodology: hours in these areas.
- Correspondence courses or nome study courses shall included Educational psychology; and and a means Classroom management. examination 7

of verification that the licensee has

- controducte-derectivity-to-no-no-no-no-neconsciency--teacherte-s-snowbedge--and successfully completed such course. +P
- ty A--nath-technotogy-ceaches-course-or-program-shakk-inchide-ss-ots
 - subject-retter-one-or-more-of-the-fettowings
- ウェーニックのロセリウのタギーニのできないからはのこのモーをはなかからのこののは一はののは一かちのしからの Sducettenat-Payonokeny
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- State-and-federak-tawa-pertinent-to-nail-technologyy Student-Byahuatton-Skithlay 6 ÷
 - Westeren-and-Merses-Assessanceteon-Orthere Searce-end-depositioned-and-and-
- Akk-progrems-shaid-be-developed-and--presented--by--persons--with educations -- training -- and ser -- practical - experience - in - the - subject manten-to-be-areasanted-
- 上をのはおりむしをはなしなられていっとしおなりのだれ ++

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d)et All sponsors shall verify attendance at each CE course or program. record of attendance shall be kept for no less than 5 years. derestates.

give each successful participant a record of completion at the information: name, address and <u>license</u> edentéfication number for each end of the course or program. All records shall include the following participant, <u>category of CD (cosmetology, mail recrnician, estheties,</u> teacner education), number of nours awarded, course rible and date, of

DEPARTMENT OF PROFESSIONAL REGULATION NOTICE OF PROPOSED AMENDMENT(S)

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CE sponsors shall be required to renew their approval every year upon The first All CE programs given on or after October 1, 1996, must be given by the renewal applicant and the required fee. renewal shall be December 31, 1997. 6

sponsor who has been approved by the Department to provide continuing

be required to submit an application, the required fee and meet the current requirements set forth in this Part and the Act to continue to provide continuing education programs on or after October 1, 1996. All sponsors approved by the Department as of December 31, 1995, 3

Ill. Peg. t c

(Source: Amended

Section 1175.1210 Cred.t Hours

An approved CS program hour shall include at a minimum 50 minutes of actual class time, exclusive of time devoted by participants pre-class or post-class preparation.

Participants completing courses at a university or college shall receive 15 CE credit hours for each semester hour or 10 CE hours for Participants completing courses at a university

A licensee thath-technician or math-technology treaspert and serves as an instructor, speaker or discussion leader of an approved course one hour of credit will be awarded for each 2 hours of actual presentation time. Preparation time for repetitious presentations shall not receive credit. No more than 19 hours can be actual presentation time. each quarter hour of school credit awarded, credit for shall be allowed CE preparation time, 0

Credit hours shall be awarded as stated in subsections (a), (b) and courses taken pursuant to continuing education requirements in another state. ý. earned under this Section during any renewal period. Credit shall be awarded for successful completion (c) above. (P

Reneval applicants may earn a maximum of 50% of the total hours for each renewal through completion of correspondence pearinbea courses.

Continuing Education Earned in Other States. If a licensee has earned form along with a \$10 compliance in Lilinois, the applicant processing fee within 39 days after completion of the course. Toommittee shall review and recommend approval or disapproval of the CE nours in another state or servicory for which ne/she will program using the criteria set forth in this Section. CE approval claiming credit toward full state shall submit an out of

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DEPARTMENT OF PROPESSIONAL REGULATION

WOTICE OF PROPOSED AMENDMENT(S)

Section 1175,1215 Waiver of Continuing Education Requirements

- without having fully complied with these CE requirements shall file renewal fee, a statement setting forth the facts concerning such basis of such facts and, if desired, a request for an interview before the Committee. If the Department finds from such statement or any shall waive anforcement of such requirements for the renewal period for which the of a license or certificate with the Department a renewal application along with the required noncompliance, a request for waiver of the CE requirements on the other evidence submitted or upon recommendation of the Committee, that good cause has been shown for granting a walver of the or any part thereof, the Department Any renewal applicant seeking renewal requirements,
 - Good cause shall be defined as an inability to devote sufficient hours fulfilling the CE requirements during the applicable prerenewal applicant nas applied. period because of: 0
- Full-time service in the armed forces of the United States of An incapacitating illness documented by a currently licensed America during a substantial part of such period;
- Hardship as defined in Section 3-7 of the Act: physician; or
- The licensee resides in a locality where it is demonstrated that the absence of opportunities for such education would interfere with the ability of the licensee to provide
- That to comply with the continuing education requirements yould cause a substantial financial hardship services to the public. licensee. 9
- A licensed cosmetologist or cosmetology teacher who has held a license for 30 years and does not regularly work as a cosmetologist or cosmetology teacher for more than 16 hours per week or is at least 62 years of age shall not be required to comply with the continuing education requirements. 디
 - dlet If an interview is requested at the time the request for such walver is filled with the Department, the renewal applicant shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.

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SUBPART M: SHOP RECISTRATION

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Section 1175.1300 Application for a Barber Shop or Technician or Esthetic Salon Certificate of Registration

Cosmetology,

Pursuant to Article IIID of the Act, all cosmetology, nail technician

DEPARTMENT OF PROFESSIONAL REGULATION

ILLINOIS AEGISTER

NOTICE OF PROPOSED AMENDMENT(3)

or esthetic salons and barber shops shall obtain a certificate of designstration tion the Johansman in order to operate in Illinois. A shop shall file an application with the department, on forms supplied the Department. The application shall include the following:

if a partnership, a copy of the partnership agreement and all partners' home addresses and phone numbers; and Shop owner's name, nome address and home telephone number: Shop name, street and city address and telephone number:

If a corporation, a copy of the arricles of incorporation as illinois Secretary of State and a list of all filed with the

location and a separate application shall be submitted to the Department. 2 히

Chanse of Location. All registered shoos-salons shall notify the Department of any change of address. The opticions of segistration Shall be returned to the Department and a new opticionage of Charge of Ownership. When the ownership of the snop changes, the new owner shall be required to file a new application for a serrificate of restanction with the Dengrement Bussant to Section JD-5(c) of the registration will be issued with the new address for a fee of 520. 히

effective

Req.

at

(Source: Added

DEPARTMENT OF PUBLIC AID

- NOTICE OF PROPOSED AMENDMENTS
- Reading of the Part: Application Process
 - Code Citation: 89 Ill. Adm. Code 110
- Section Numbers: Proposed Action:
 110.10
 Amendment
 110.15
 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (305 ILCS 5/12-13)
- Oppose a description of the Subjects and Essens Enroyleds. Then the rolls as on on 31928. Which was originally written the use of fax machines was not as peralect as is toddy by influiduals outside of the bears community. Today, more people choose to send information to local offices via fax machines. These proposed amendates and to the rolls of sovies on that a focusing (fax of an application cannot be accepted, this illementing specifies what its considered a written request and establishes that the fate the local application. As a result of those proposed amendates, a faxe of application as the date of application. As a result of those proposed amendates, a faxe of application of application of application of an and the original application of application of application of application of application and the original application of application of application of application of application of application and the original application of application and the original application of application and the original application of application of application of application of application of application of application and the original application of application of application of application and applic
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
- 11) Time, Lades, and Wanner in other interested Second may comment on this proceed illemniate. Any interested detailed may be to detail the veneral data wise to a requested concentral the proposed illemniate comments data was to in writing and should be addressed to: making. All comments

Judy Umunna Bureau of Rules and Regulations Illinois Department of Public Aid 100 South Grand Ave. E., 3rd Floor

Springfleld, Illinois 62762

Phone: (217) 524-0081

ILLINOIS REGISTER

EPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice periods as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS

12) Initial Regulatory Flexibility Analysis:

- A) Tyres of enail businesses, small municipalities and not for profet concentrations differed in the partners is inswere of any effect this will pass on small businesses, small municipalities of not-tor-profit corporations. The bepartners ill however, accept and submitted by the concentrations of municipalities or not-tor-profit corporations. The bepartners will however, accept and submitted in response to these proposed mandments.
- B) Reporting, bookkeeping or other procedures required for compliance:
- C) Types of professional skills necessary for compliance: None
- 13) Regularizery Amende on Author His Endemking was summercach the vas not included on either of the 2 most recent agends seemes This scheduling was published.

The full text of the Proposed Amendments begins on the next page:

CHAPTER I: DEPARTMENT OF PUBLIC AID SUBCHAPTER b: ASSISTANCE PROGRAMS TITLE 89: SOCIAL SERVICES

APPLICATION PROCESS PART 110

Local Office Action on Application for Public Assistance Incorporation By Reference Application For Assistance Section 10.10 10.15

Approval of An Application And Initial Authorization of Financial Time Limitations On The Disposition Of An Application Assistance 10.30

Approval of An Application and Initial Authorization of Medical Initial Authorization of Medical Assistance (MAG)

Initial Authorization of General Assistance - Medical Assistance - (MANG) 10.34

General Assistance and Aid to the Medically Indigent Special Approval Denial Of An Application Provisions 10.38 10.40 AUTHORITY: Implementin; Articles III, IV, V and VI and authorized by Section 12-13 of the Illinois Public Aid Code (305 ILCS 5/Arts. III, IV, V and VI and

SOURCE Filed and effective queenber 20, 1971 and engency amendment at 2 III.
Reg. 44, pp. 167, effective Corcher 19, 1978 of containing to 160 days
THIR Reg. 44, pp. 173 effective Corcher 19, 1979 amended as 11
THIR Reg. 44, pp. 173 effective Corcher 19, 1979 amended as 11, 1892 of the Corcher 19, 1979 amended as 11, 1982 amended as 111, 1892 amended as 111, 1893 amended as 111, 1894 effective June 9, 1995, for a max.mum of 150 days; amended at 19 Ill. Reg. 15053, effective October 17, 1995; amended at 20 Ill. Reg. III. Reg. 11457, effective July 1, 1388; amended at 13 111. Reg. 3836, effective March 10, 1989; amended at 13 111. Reg. 10628, effective June 22, 389; amended at 14 Ill. Reg. 13198, effective August 6, 1990; amended at 16 III. Reg. 16618, effective October 23, 1992; amended at 17 III. Reg. 640, effective December 31, 1992; emergency amendment at 19 III. Reg. 8429, Sfective

Section 110.10 Application For Assistance

- An application is a signed request for assistance on a Department of Public Aid ("Department") form which has been completed to the best of a)
 - the client's knowledge and ability.
 The application must contain an original signatures.

LLINOIS REGISTER

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DEPARTMENT OF PUBLIC ALD

STATES OF PROPOSED AMENDMENTS

the local office shall return the application to the sender to obtain the application does not contain an original signature or signatures, the original signature or signatures.

When a conservator has been appointed for the applicant, the c)by The application must be signed by the applicant with the following

When the applicant is physically or mentally unable to sign the conservator must sign the application.

When application is made in behalf of a child the child's application, the application may be signed by someone responsibly in behalf of the applicant. 3

When the applicant has appointed an authorized representative caretaker must sign the application. 7

with the Department. (An authorized representative is a person authorized by the applicant to act on his \underline{cr} + her behalf.) Application for medical assistance may be made in behalf

deceased person. In order for payment to be made by the Department for the funeral and burial expenses of the decedent, the completed application must be received in the local office not more than Thirty which death occurred, unless delay in receipt of the form occurred (30) calendar days after the individual's death, excluding the day

individuals of the applicant's choice in completing the application. e)d) The applicant may be assisted by the Department and by through no fault of the individual applying.

a disproportionate share hospital or federally qualified health E)et The date of application shall be the date a completed original an application is received by the local office serving the area of the applications completed by pregnant women and children under age 18 at center, the date the application is signed by the applicant shall be in which the applicant lives, with one exception: the date of application.

--Bepartment--for deterninantion---of----etigibitity---for--medical----assistance--and--is expesquentry-dented-because-categorical-religios-cadass--cos--cos--cadas---cadas and--re-re-re-re-re-re-re-re-re-re-re-re-date--of-application-shalt-be-the-date 子手一条ないしかのないようなしかのとは一をないましたといるのとしななななししたののななながらし 4

Medical Assistance No Grant - Aid to the Aged, Blind or Disabled the-appitemetron-was-received--in-the-Sounty-Departmenty (MANG) (AABD) 6

only when the services received by the residents are being provided in a covered setting. Covered setting is defined according to the Application shall be made for residents of facilities operated by the Department of Mental Health and Developmental Disabilities (DMHDD) services provided, the age and diagnosis of the patient and The following are covered settings: facility certification.

Psychiatric Hospital Service

 Facility Certification: Title XVIII (Medicare) A) Client Age: 65 and over i) Client Diagnosis: Any

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

being received immediately prior to attaining age 21 and the Under 21 or up to age 22 when services were treatment plan includes re-entry into the community Joint Commission Client Diagnosis: Mentally Ill Facility Certification: Client Age:

C

Client Age: No Restrictions Medical/Surgical Services 2)

Accreditation of Hospitals (JCAH)

Client Diagnosis: No Restrictions

ΰ

- Skilled Nursing Facility (SNF), Intermediate Care Facility (ICF) Retarded Intermediate Care Facility for the Mentally Sacility Certification: Title XVIII (Medicare) (ICF-MR) Services and 3
 - 65 and over Client Age: 8
- Public ij Facility Certification: By Department Client Diagnosis: No Restriction Health for Title XX (Medicald) Up to 65 Client Age: â
- Public 40 Facility Certification: By Department Client Diagnosis: Mentally Retarded Health and Title XX (Medicald)
- JCAH (Does not include Client Diagnosis: Mentally Ill ONEY Facility Certification: Under 21 Client Age:
 - adjudication of Eligibility exists only when the DMHDD patient has not incompetency, a conservator has been legally appointed. adjudicated incomperent or if there has been an ICE-MR1
- Application shall be made for a patient age 21 or over by the Application shall be made its a pwarmer desponsibly in patient, conservator or by someone acting responsibly in shall patient's parentts; parents, legal guardian the conservator. made
- effective Red. 111. W) (Source: Amended not eliqible.

If the parents are unwilling to apply for assistance, the

patient

Section 110.15 Local Office Action on Application for Public Assistance

Assistance according to the appropriate eligibility rules for assistance programs, unless the person has indicated in writing that he or she does not want to apply for certain programs. A signed original application form on which the person indicates the program or programs for which he or She does or does not want to apply constitutes the person's written statement. The world Upon a person's making application for Public Assistance at a local office, the local office shall consider that person's eligibility for all forms

FLINOIS REGISTER

NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF PUBLIC AID

specified in Articles III, IV, V, VI and VII of the Public Ald Code, namely Aid to the Aged, Blind and Disabled, Aid to Families with Dependent Children, Assistance Program, the Department's Medical Programs and General Assistance (where administered by the Department)7-and-had-be----cne---Medicathy office, the local office shall also consider that person's eligibility for the Department as indigent. Upon a person's making application for Public Assistance at a local United States Department of Agriculture's Food Stamp Program (unless the applicant has indicated in writing that he or she does not want Food Stamps) Department may from time to time he administering pursuant to the laws and regulations of the State state and federal government. An original signed application form on which the person indicates whether or not he of sne wants to apply for Food Stamps or any other programs which the Department may offer at any given time constitutes the "Public Assistance" constitute the assistance provided by the the and for such other programs as person's written statement. Refugee

Reg. 111. 20 (Source: Amended

DEPASTMENT OF PUBLIC AID

- NOTICE OF PROPOSED AMENDMENTS
- Heading of the Part: Hospital Reimbursement Changes
- Code Citation: 89 Ill. Adm. Code 152
- Proposed Action: Section Numbers:
 - Amendment Amendment 52.200 52.250
- Section 12-13 of the Illinois Public Aid Code [305 Statutory Authority: 7

The Department will continue to reimburse hospitals for impatient and outpatient services rendered through June 30, 1997, according to the Complete Description of the Subjects and Issues Involved: These proposed amendments are necessary to implement the State's fiscal year 1997 budget reimbursement levels calculated for each hospital that were in effect

hospitals deemed critical to the Medicaid Program (under the program known process was designed to ensure the financial integrity of hospitals committed to serving the Medicaid population. Despite this process, two closed in fiscal year 1996. The proposed changes are intended to make the rate appeal process more responsive by creating the potential for more Additionally, the Department is proposing substantive revisions to the rate appeal process found in Section 152.250. The hospital rate appeal hospitals that qualified for, and received hardship appeal payments, as GRAP (Critical Hospital Adjustment Payments)) to maintain participation in the Program.

- It is anticipated that the continuance of fiscal year 1996 hospital rates will neither increase nor decrease annual aggregate expenditures in fiscal vear 1997.
- Will these proposed amendments replace emergency amendments currently in
- Does this rulemaking contain an automatic repeal date?
- Do these proposed amendments contain incorporations by reference? 8
- Are there any other proposed amendments pending on this Part?
- Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
- Time, Place, and Manner in which interested Persons may comment on this Any interested parties may submit comments, data, proposed rulemaking:

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DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Comments A11 views, or arguments concerning this proposed rulemaking. must be in writing and should be addressed to:

100 South Grand Ave. E., 3rd Floor Illinois Department of Public Aid Bureau of Rules and Requlations Springfield, IL 62762 The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by serving S-10 of the Tilling's Administrative Proceeding Act [5 ILCS

municipalities, and nor-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act (5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section '5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit These proposed amendments may have an impact on small businesses, small corporations as part of any written comments they submit to

Initial Regulatory Flexibility Analysis:

Department.

- small municipalities and not for profit corporations affected: Hospitals Types of small businesses, 6
- Reporting, bookkeeping or other procedures required for compliance; 8)
- None Types of professional skills necessary for compliance:
- Regulatory Agenda on which this rulemaking was summarized: This rule was two most recent pecause: rulemaking was not anticipated by the Department when the regulatory agendas were published. agendas most recent not included on either of the 2

Energency Amendments which appears in this issue of the Register on page 92.74:= \pm The full text of the Proposed Amendments is identical to the text of the

DEPARTMENT OF PUBLIC ALD

PHYNAMINAMA CREATER AND STATES

- Hospital Services
 - Code Citation: 89 Ill. Adm. Code 148 Heading of the Part:
- Proposed Action: Amendment Amendment Section Numbers 48.160 48,140 148.82

3

- Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305] New Section Amendment 48.285 7
- Complete Description of the Subjects and Issues Involved: These proposed hospital services are being filed in conjunction with the State's budget amendments concerning the Department's reimbursement methodologies plan for fiscal year 1997. 6

In Section 148.82, Organ Transplant Services, a reference to applicable disproportionate share payment adjustments in subsection (g)(3) is being revised because the language concerning outlier adjustments is incorrectly placed in the current rule. Outlier adjustments do not apply to organ transplant procedures. The corrected language specifies applicable Medicaid high volume adjustments.

populations over three million. These changes are expected to result in the maintenance of fiscal year 1997 annual aggregate expenditures at In Section 148.140 and 148.160, the sunset dates are being eliminated for the reimbursement of inpatient, outpatient and county provider counties with adjustments, for county-owned hospitals in Illinois fiscal year 1996 levels. Section 148.285 is being proposed to provide recognition and payments for excellence in academic medicine. This new reimbursement methodology allows for the distribution of funds created under the Excellence in Act, the Post-Tertiary Clinical Services Fund and the Medical Research and Development Fund. The purpose of these funds is to support continued efforts to enhance access to medical services at high This new program is expected to increase annual aggregate expenditures medical centers for Medicaid eligible recipients. Academic Medicine quality

- Will these proposed amendments replace emergency amendments currently in
- Does this rulemaking contain an automatic repeal date?
- Do these proposed amendments contain incorporations by reference?

ILLINOIS REGISTER

WOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF PUBLIC AID

Are there any other proposed amendments sending on this Part?

6

- Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
- Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to: 11)

100 South Grand Ave. E., 3rd Floor Illinois Department of Public Aid Bureau of Rules and Regulations Springfield, TL Joanne Jones

after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS The Department requests the submission of written comments within 30 days

municipalities, and not-for-profit corporations as defined in Sections 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory Elexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their not-for-profit These proposed amendments may have an impact on small businesses, : 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act status as small businesses, small municipalities, or corporations as part of any written comments they

- Initial Regulatory Flexibility Analysis: 12)
- Types of small businesses, small municipalities and not for profit corporations affected: Hospitals (Y
- Reporting, bookkeeping or other procedures required for compliance: B)
- Types of professional skills necessary for compliance:
- not included on either of the 2 most recent agendas because: This rulemaking was not anticipated by the Department when the two most recent Regulatory Agenda on which this rulemaking was summarized: requlatory agendas were published.

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page

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NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF PUBLIC AID

- Heading of the Part: Long Term Care Reimbursement Changes
- Code Citation: 89 Ill. Adm. Code 153
- Proposed Action: Amendment Section Numbers:

3 7

Statutory Authority: Section 12-13 of the Illinois Public Aid Code (305 ILCS 5/12-13)

New Section

July 1, 1995, with no updare for inflation for nursing facilities and intermediate care facilities for persons with developmental disabilities. For services provided on or after January 1, 1997, the rates in effect on July 1, 1996, including nursing facility rates paid for exceptional care, will be increased by 6.8 percent. For day training services provided on or after buly 1, 1996, traces will be increased by three percent. additionally, for services provided on or after July 1, 1996, long ream care facilities which are located in an area which has changed geographic due to unique labor force factors shall have rates recalculated based upon the cellings and norms of the newly designated pasodord amendments are necessary to implement the State's fiscal year 1997 budget plan. For services provided from July 1, 1996, through December 31, 1996, the Department will continue reimbursement levels which were in effect on seographic area. Related amendments are being filled in 89 Ill. Adm. Code Complete Description of the Subjects and Issues Involved: These 140 regarding these geographic designation changes. designation 23

expenditures of approximately \$48.1 million. The anticipated increase in Spending for nursing facilities and day training is \$36.9 million; for ICF/WR facilities and day training, \$11 million; and for geographic These changes are expected to result in an increase in annual aggregate classification changes, \$155,000.

- Will these proposed amendments replace emergency amendments currently in (9
- Noes this rulemaking contain an automatic repeal date? Yes
- Do these proposed amendments contain incorporations by reference? Are there any other proposed amendments pending on this Part? 8

6

o

- Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government. 10)
- Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, 11)

100/1-75, 1-90, 1-85]. These entitles may submit comments in writing to the Department at the above address in accordance with the regulatory Elexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act (S ILCS 100/5-30). These entities shall indicate their part of any written comments they submit to the These proposed amendments may have an impact on small businesses, small corporations as defined in Sections status as small businesses, small municipalities, or not-for-profit 1-75, 1-80 and 1-85 of the Illinois administrative Procedure Act municipalities, and not-for-profit 10 corporations Decartment.

Initial Regulatory Flexibility Analysis:

- for profit Nursing facilities, ICP/MR facilities, not Types of small businesses, small municipalities and developmental training agencies corporations affected:
- Reporting, bookkeeping or other procedures required for compliance: 9
- Types of professional skills necessary for compliance:

not included on either the 2 most recent agendas because: This rulemaking was not anticipated by the Department when the two most recent regulatory This rule was Regulatory Agenda on which this rulemaking was summarized: agendas were published.

The full text of the Proposed Amendments is identical to the text of the Decreeping Amendments which appears in this issue of the Register on pare

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NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF PUBLIC AID

- Heading of the Part: Medical Payment
- Code Citation: 89 Ill. Adm. Code 140

Section Numbers:

Proposed Action:

- Amendment Amendment Amendment Amendment Amendment 140.555 40.560 40.578 40.561 140.80 40.84
- Statutory Authority: Section 12-13 of the Illinois Public Aid Code (305 7

Amendment

methodologies for services under the Medical Assistance Program are being These proposed Department's reimbursement filled in conjunction with the State's budget plan for fiscal year 1997. Complete Description of the Subjects and Issues Involved: the g; several concerning

assessment imposed upon each hospital provider by an amount equal to approximately one-fourth of the assessment imposed during fiscal year 1996. These changes are being made in response to concerns expressed by In Section 140.80, proposed changes allow for a reduction in the annual providers of hospital services. New appropriations to the General Revenue Fund will be utilized to provide full hospital funding.

facilities operated by, or under, the authority of the Illinois Department of Veteran's Affairs. The Nursing Home Care Act has been amended to of this, Section 140.84 is being amended to specifically exclude veteran's facilities from assessments imposed upon nursing facilities that are not In Section 140.84, proposed changes are being made regarding State define such entities as facilities which are subject to the nursing home licensing regulations of the Illinois Department of Public Health. Because State operated. These proposed amendments are not expected to result in any budgetary changes,

changes are being made in conjunction with related amendments to 89 Ill. Adm. Code 153.125 that provide for a reimbursement increase of 6.8 percent Modification of the Department's geographic classification methodology is The proposed amendments address the alignment of MSAs into geographic areas in order to effectively redefine boundaries used in the rate setting base for rates Proposed revisions to Sections 140.555, 140.560, 140.561 and 140.578 long term care facilities, effective on or after January 1, 1997. established July 1, 1996. These amendments are expected to result in change the term "Health Service Area (HSA)" to "geographic area". implement this rate increase. necessary to

PEDARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

additional spending in the amount of approximatery \$155,000. This amount
included in the race enhancement estmate for long term care facilities
that is expected to increase amoual aggregate expenditures by
foreimmetiy \$19, million.

Will these proposed amendments replace emergency amendments currently in effect? Yes

9

- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections Proposed Action Illinois Register Citation

140.7 Amendment August 25, 1995 (19 111. Reg. 12210) 140.9 Amendment August 25, 1995 (19 111. Reg. 12210) 140.539 Amendment April 12, 1996 (20 111. Reg. 5448) Statement of Statewide Policy Objectives: These proposed amendments

not affect units of local poverment.

11) Time. Place, and Mannet in Wich Interested Persons may comment on this proposed rilemating in Any interested parties may submit comments. Views, or expensions connecting this proposed rilemating. All comments may be in writing and should be addressed to:

Joanne Jones Bureau of Rules and Regulations

Illinois Department of Public Aid 100 South Grand Ave. E., 3rd Floor Springfield, Illinois 62762 Phone: (217)/524-0081 Department requests the audination of the papertment will consider all affect the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

municipalities, and nov-for-profit copporations as defined meetings municipalities, and nov-for-profit copporations as defined meetings 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILOS 10-75; 1-80, 1-35]. These entities are substroomed in viring to the Department at the above address in accordance with the regulatory the Department at the above address in accordance with the regulatory Procedure Act [5 ILOS 100/2-10]. These entities shall indicate their

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

- 12) <u>Initial Repulatory Steetbility Analysis:</u>
 Apples of stall Dustinesses, small municipalities and not for profit copporations affected; Jong term care facilities and profit copporations affected; Jong term care facilities and
- PEOSIA COFFORMING Affected: Long term care facilities and hospitals DOOKKeeping or Other procedures required for B) Resporting, bookkeeping or Other procedures required for
- C) Types of professional skills necessary for compliance: None

compliance: None

 Regulatory Alenda on union this sulemaking was summarized: This sule was not included on either of the 2 most recent agendas because this tribmaking was not anticipated by the Department unen the two most recent requiatory agendas were published.

The full text of the Proposed Amendments is identical to the text of the personal Amendments which appears in this issue of the Reliever on personal 39 3 1.4.

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DEPARTMENT OF PUBLIC AID

WOTICE OF PROPOSED AMENDMENTS

- Heading of the Part: Practice in Administrative Rearings
- 89 Ill. Adm. Code 104 Code Citation: 5)
- Section Numbers:
- Proposed Action: Amendment
- Statutory Authority: Section 12-13 of the Illinois Public Aid Code (305 Ç
- These proposed amendments add to the rules provisions for the acceptance of a facsimile (fax) of a request for a fair hearing, when the rule was originally written, the use of fax machines was not as prevalent as it is today by individuals outside of the business community. Today, more people choose to send information to local offices via fax machines. These proposed amendments establish that, for purposes of initiating an appeal, a faxed offices will accept a facsimile of a completed Form DPA 193, Request For Pair Hearing, or any written statement in which a client expresses a wish to appeal. Companion amendments are also being proposed to 89 Ill. Adm. request is considered the same as an original written statement. Complete Description of the Subjects and Issues Involved: 5
- Will these proposed amendments replace emergency amendments currently in effect? No (9
- Does this rulemaking contain an automatic repeal date? No
- o Do these proposed amendments contain incorporations by reference?
- Are there any other proposed amendments pending on this Part?
- Illinois Register Citation Proposed Action Sections
- July 5, 1996 (20 Ill. Reg. 8620) Amendment 104.273
- Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government. 10)
- <u>proposed rulemaking:</u> Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments Time, Place, and Manner in which Interested Persons may comment must be in writing and should be addressed to: 11)

Judy Umunna

- Bureau of Rules and Regulations
- 100 South Grand Ave. E., 3rd Floor Illinois Department of Public Aid

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DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS Springfield, Illinois 62762

Phone: (217) 524-0081

after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-10 of the Illinois Administrative Procedure Act [5] ILCS The Department requests the submission of written comments within 30 days .00/5-40].

- Initial Regulatory Flexibility Analysis: 12)
- on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effect that may be submitted in Types of small businesses, small municipalities and not for profit The Department is unaware of any effect response to these proposed amendments. corporations affected: rulemaking may have
- Reporting, Sookkeeping or other procedures required for compliance: â
- Types of professional skills necessary for compliance: None õ
- Regulatory Agenda on which this rulemaking was summarized this rule was most recent agendas because: This the most recent regulatory rulemaking was inadvertently omitted when not included on either of the 2 agenda was published. 13)

The full text of the Proposed Amendments begins on the next page:

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to Terminate, Suspend or Not Renew Provider e of Intent to Certify Past-Due Support Owed by a Responsible e of Termination or Suspension Pursuant to Exclusion by the we to a State Licensing Agency and to Take Disciplinary Action

d for Judicial Jury Trial in Contested Paternity Hearings

DEPARTMENT OF PUBLIC AID		DEPARTMENT OF PUBLIC ALD
NOTICE OF PROPOSED AMENDMENTS		NOTICE OF PROPOSED AMENDMENTS
CHAPTE 1: DEPENDENCE OF SUBJECT ALD SUBJECTER 1: DEPENDENCE OF SUBJECT ALD SUBJECTER 3: GENERAL PROVISIONS	104.208	Notice of Intent to Terminate, Suspend or Not Agreement Notice of Intent to Certify Past-Due Support Owed E
PART 104 PRACTICE IN ADMINISTRATIVE HEARINGS	104.210	Relative to a State Licensing Agency and to Take Disci Right to Hearing Notice of Termination or Suspension Pursuant to Ext
SUBPART A: ASSISTANCE APPEAL	104.212	Parior Factual Determinations Demand for Judgment on the Perior Factual Determinations Demand for Judgment of Trial in Contested Paternity
Assistance Appeals Initition of Appeal Process	104.216	NOTICE OF CONTRACT CONTRACTOR OF MONEY PORTAL CONTRACTOR OF SECONDS
restabled neview Notice of Bearing Profile of Bearing	104.221	Total American
Representation	104.226	Appearance of Attorney or Other Representative
Appendant Secretagements and Secretagements	104.231	Form of Papers
Subpoenas Amendment of Appeal	104.235	Discovery Conduct of Hearings
Consolidation of Appeals	104.241	Amendments
Postponement or Continuation of Rearings Withdrawal of Appeal	104.243	Subpoenas
Closing of Hearing Record	104.244	Burden of Proof
Dismissal of Appeal Final Administrative Decision	104.245	Witness at Rearings Evidence at Rearings
Public Aid Committee	104.247	Gross-Examination
SUBPART B: RESPONSIBLE RELATIVE AND JOINT PAYEE PETITIONS	104.250	Committee Assembly An Concessed Facetings Committee Contracted Documents
Remonsible Relative and Joint Bause Deritions	104.260	Computer Generated Documents Commendation of Peer Review Committee Time Limits for Hearings
Petition for Hearing	104.271	Continuances and Extensions
Conduct of Administrative Support Hearings	104.272	Withholding of Payments During Pendency of Proceedings Continuation of Dayments During Pendency of Proceeding
or of Share of Control y-Owned Funds	104.274	Denial of Payments for Services During Pendency of Pro
Contact of Contactings on Petitions for Release from Administrative Paternity Orders	104.295	Failure to Appear Or Proceed Recommenced becasion Director's navietor
SUBPART C: MEDICAL /TRNDOR HEARINGS		SUBFART D: RULES FOR JOINT DEPARTMENT ACTIONS AGAIN SKILLED NURSING FACTLIFIES AND INTERMEDIATE CARE
Applicability		FACILITIES FARTICIPATING IN THE MEDICALD PROGRAM
Notice of Denial of an Application Notice of Intert to Recover Money	Section 104.300	Authority
Notice of Contested Faternity Hearing	TO4.200	Delinitions

104.1 104.1 104.11 104.12 104.20 104.22 104.23 104.30

104.45 104.50 104.55 . of Payments for Services During Pendency of Proceedings

104.100 104.101 104.102

Section

104.104

Section 104.200 104.202 104.204 104.206

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Department Actions Against Nursing Homes Facilities Joint Administrative Hearing 104.320

SUBPART S: FOOD STAMP ADMINISTRATIVE DISQUALIFICATION HEARINGS Facilities Certified Under Both Medicare and Medicaid

Advance Notice of Administrative Disqualification Hearing Suspected Intentional Violation of the Program 104.400

Administrative Disqualification Hearing Procedures Postponement of Hearing

Consolidation of Administrative Disqualification Hearing with Fair Participation While Awaiting a Hearing Failure to Appear 104.420 104.430 104.140 104.450

Administrative Disqualification Hearing Decision and Notice Appeal Procedure Decision Hearing 104.470 104.480

SUBPART F: INCORPORATION BY REFERENCE

Incorporation by Reference 104.800 Section

AUTHORITY: Implementing Sections 11-8 through 11-8.7, 12-4.9 and 12-4.25 and authorized by Section 12-13 of the Illinois Public Aid Code (305 ILCS 5/11-8 through 11-8.7, 12-4.9, 12-4.25 and 12-13].

May strip, effective April), 1881 manded (by adding Sections being codified to the north of the 1980; perempory amendent a SILL Reg. 1197, effective January 23, 1981; amended as SILL Reg. 10713; effective October 11, 1981; mended at s SILL Reg. 894, effective January 7, 1982; codified at s ILL Reg. 5706; amended at 8 ILL Filed and effective December 30, 1977; emergency rule at 2 Ill. Reg. Ill. Reg. 21, p. 10, effective May 26, 1978; amended at 2 Ill. Reg. 33, p. 57, effective August 17, 1978; peremptor/ amendment at 3 ill. Reg. 11, p. 38, effective March 1, 1979; amended at 4 Ill. Reg. 21, p.80, effective May 8, Reg. 5320, effective April 1, 1991; amended at 15 Ill. Reg. 6557, effective April 30, 1991; amerided at 16 11. Reg 12003, effective August 15, 1992; amerided at 16 111. Reg. 16632, effective October 23, 1992; amerided at 16 111. Reg. 18834, effective December 1, 1992; emergency amendment at 17 III. Reg. 659, effective January 7, 1993, for a maximum of 150 days; amended at 17 III. 11, p. 151, effective March 9, 1978, for a maximum of 150 days; amended at SOURCE:

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NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF PUBLIC ALD

July 1, 1994; amended at 19 III. Reg. 1321, effective January 30, 1995; emergency amendment at 19 III. Reg. 10268, effective July 1, 1995, for a 15521, effective October 30, 1995, for a maximum of 150 days; amended at 19 111. Reg. 15711, effective November 6, 1995; amended at 20 III. Reg. 1229, effective December 29, 1995; amended at 20 III. Reg. 5699, effective March 28, 1996; amended at 20 Req. 7025, effective April 30, 1993; amended at 18 Ill. Reg. 11260, effective naximum of 150 days; emergency amendment at 19 Ill. Req. , effective Ill. Reg.

SUBPART A: ASSISTANCE APPEAL

Section 104.10 Initiation of Appeal Process

- initiated by filling a written, signed request with the Public Aid For General Assistance outside the city of Chicago, the appeal process Committee. (a)
 - filing a written, signed request with the Assistance Hearings For all other appeals, the appeal process is initiated by either; Sectionit
 - filing a written, signed request with the respective local telephoning a request to the Assistance Hearings Section's
- For purposes of initiating the appeal process, a facsimile of a written, signed request for a fair hearing is considered the same as tollfree number for filing appeals. 5
 - dlet A food stamp appeal may also be initiated by an oral request to the original written, signed request.

20 at (Source: Amended

EALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENT

- Heading of the Part: Permit Application Fees
- Code Citation: 77 Ill. Adm. Code 1190
- Proposed Action: Amendment Amendment Amendment Amendment Section Numbers: 1190.10 1190.20 1190.30 1190.50 1190.80
- Statutory Authority: Illinois Health Facilities Planning Act New Section 7

Amendment

- A Complete Description of the Subjects and Issues Involved: Part 1190 contains the Health Facilities Planning Board's rules regarding fees for certificate of need (permit or exemption) The proposed amendments and new Section would modify the language on the assessment of fees regarding permit applications, modification of applications, permit alterations and permit exemptions. the proposed amendments and new Section would remove the "cap" and increase certain fees collected for deposit into the Health Facilities The Fund is utilized to pay the expenses incurred in are intended to establish a more equitable fee structure related to the The proposed amendments complexity and time spent by the State Board and Department on processing applications from initial submission through project completion. administering the functions of the Planning Act. Planning Fund. applications. application
- Will this rulemaking replace any emergency rulemaking currently in effect? 6
- Does this rulemaking contain an automatic repeal date? No
- Does this rulemaking contain incorporations by reference? No
- to contain health care costs by care Section 12.1 of the Act provides for the charging and the expenses of administering the Act. Application processing fees have been utilized to fund all direct program costs. No General Revenue funds The purpose of the Planning Act collection of application processing fees. Funds collected are used modification of health Are there any other proposed rulemakings pending on this Part? No are utilized for direct administrative expenses. Statement of Statewide Policy Objectives: is to establish a procedure designed preventing unnecessary construction or facilities.
- Time, Place and Manner in which interested persons may comment on this

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SEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENT

comments concerning these rules by writing within 45 days after this issue of the may present their proposed rulemaking: Interested persons Illinois Register to:

Illinois Department of Public Health Division of Facilities Development Health Facilities Planning Board Donald Jones

525 West Jefferson, Second Floor

Springfield, IL 62761

(217) 782-3516

written comments received within the 45 days after this issue of the Illinois Register will be considered.

the Illinois Department of Public Health's Training Center, 525 West Jefferson Street, 1st Floor, Springfield, Illinois. The hearing will be for the sole purpose of gathering public comment on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the State Board will follow these procedures in the A public hearing will be held on Tuesday, August 13, 1996 at 1:30 conduct of the hearing:

- State Board a written (preferably typed) copy of such testimony at the Each person presenting oral testimony is requested to provide to the time the oral testimony is presented.
- persons wishing to testify have done so. The State Board may limit No persons will be recognized to speak for a second time until all the time the hearing is open and limit the time of individual testimony based upon the number of persons wishing to testify. All testimony shall conclude at the specific times except that individual in the midst of presenting testimony shall be allowed complete his/her testimony.
- In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the State Board may impose such other rules of procedure, including the order of call of witnesses, as necessary.

Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act, any small business may present their comments in writing to Donald Jones at These rules may have an impact on small businesses. In accordance

indicate small business (as defined in Section 1-75 of the Administrative Procedure Act) commenting on these rules shall their status as such, in writing, in their comments.

REALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENT

Initial Regulatory Flexibility Analysis:

A)

- businesses, small municipalities and not for profit GOTDOZATIONS Affected: Health care facilities that definition of small businesses. Types of small
- Reporting, bookkeeping or other procedures required for compliance: 9
- None Types of professional skills necessary for compliance:
- July 1996 13) Regulatory Agenda on which this rulemaxing was summarized:

The full text of the Proposed Amendment begins on the next page

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HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENT

SUBCHAPTER D: OTHER BOARD RULES CHAPTER II: HEALTH FACILITIES TITLE 77: PUBLIC HEALTH PLANNING BOARD

PART 1190

PERMIT APPLICATION FEES

Statutory Authority and Public Hearings

Initial Fee Deposit Fee Payment Section 1190.10 1190.20 1190.25 1190.30

Fees Related to Modification of an Application or Alteration Total Estimated Cost of the Project Assessment of Sees 1190.40 1190.50

o.

Applications for Exemptions Other than Major Medical Equipment Applications for Exemption of Major Medical Equipment Obligation Requirements and Cost Overrun Permit Renewal or Extension 1190.80

AUTHORITY: Implementing and authorized by Section 12(8) of the Illinois Health Pacilities Planning Act (20 ILCS 3960/12(8)].

1981; amended at 6 Ill. Reg. 11634, effective September 9, 1982; amended at 7 Ill. Reg. 5969, effective May 13, 1983; codified at 8 Ill. Reg. 12458; amended at 12 Ill. Reg. 10514, effective June 7, 1988; amended at 14 Ill. Reg. 5550, SOURCE: Filed June 21, 1976; amended at 5 Ill. Reg. 4999, effective April 22, 1, 1990; recodified at 20 Ill. Reg. 2598, effective January 26, , effective 1996; amended at 20 Ill. Reg. effective May

discriminate on the basis of handicap in admission or access to, or treatment or employment in its programs and activities in compliance with Section 504 of the Renabilitation Act of 1973, as amended. The Equal Employment Opportunity Officer is responsible for coordination AGENCY NOTE: "The Illinois Department of Public Health does compliance efforts Voice (217) 785-2034; TDD (217) 785-2088."

Section 1190.10 Statutory Authority and Public Bearings

This Part is prepared and promulgated by authority granted to the Illinois Department of Public Health (Agency) and to the Illinois nois Health Facilities Planning Act (the Act) (20 ILCS 1] Section-12(8)-Illinois-Mealth-Pacilities-Planning-Act--The cited-is-Section-12(8)-cf-the-Act which provides that the State Agency Health Facilities Planning Board (State Board) under Section 12.1. The Tilinois Health Facilities Planning Act (the Act) (20 1 "charge and collect from -- the -- permit -- applicant an shall

NOTICE OF PROPOSED AMENDMENT

determined by the State Board to be a reasonable application applications applications for the processing of the the applications application by the State Board, the Agency and the appropriate recognized areawide health planning organization. The Agencyr-with the -- approvat-of-one State Spardy shall set the amounts amount-by rule requistation. All fees and fines collected under the provisions provisions into the Illinois Health Pacilletes Planning Pundy-which-is-hereby ereated-as-a-spectat-fund-in-the-State-Pressury; to be used for expenses of administering this Act.

Public Hearings on this Part were held in accordance with the provisions of Section 12 of the Act. The Executive Secretary maintains a record of the Public Hearings and copies of the records are available for public inspection at the Official Headquarters of the State Board at 525 585 West Jefferson Street, Springfield, q

effective Red. 111. 20 Illinois 62761. (Source: Amended

Section 1190.20 Initial Fee Deposit

An initial fee deposit of \$700 must accompany each application for permit submitted to the State Board unless the project is not subject to a fee pursuant to Section 1190(b). No application for permit shall be deemed complete (as per the provisions of 77 111. Adm. Code 1130) until this initial fee Upon the application being deemed complete, the Executive Secretary shall then review the total estimated cost of the project in order to determine the full amount of the fee to be paid. If any additional balance is due, the applicant shall be advised in writing and is expected to make payment of the balance of the fee within 30 days of the receipt of the notice of amount due. The State Board will not place any reviewed application on its docket for action until payment of the full fee due has been received and no permit shall or issued on any application for permit on which the correct fee fee has not been paid within 30 days after receipt of the amount has not been paid. Applications shall be declared null and void if completion notice 68-days-of-being-deemed-complete. deposit is paid. total application be approved

effective Reg. 23 at (Source: Amended

Section 1190.30 Assessment of Fees

All projects, except those not subject to a fee pursuant to Section 1190.30(b), are required to submit a fee for an application for permit. Fees shall be assessed in the following manner. For each permit obser having a total serimetal cost (calculated as per Section) 1190.40) of: a)

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ERLTH FACILITIES PLANNING BOARD NOTICE OF PROPOSED AMENDMENT

- \$250,000 or more to-818,389,989.inelusive, then the application fee shall be \$200 plus 0.2 of one (1) percent of the total cost of the project (Total Estimated Cost of the Project X .002 + S200 = Amount of Application Fee). The-range-of Passay-1-0100-1-010-1-010-1-100-1-100-1-1000-1-000-1-000-1-000-1-000-1-000-1-000-1-000-1-000-1-000-1-000-1-000 Eces-snakk-thetestefore-be-from-a-s788-sknakm-rom--a-19258758-6-6-Less than \$250,000, then the application fee shall be \$700; estimated
- 91897333739-te-93873887889-18614314447-then--the--appliteation--fee ŧe.
 - Projects classified as emergency---any---projects---submitted---by-any Gepartmenty-coardy-systogy-or-coarsy-astry-of-cof-cy-of-cy-of-cy-of-cy-of-pater-of-pater-of-pater-orconstruction-or-negititoscion-of-tes-negith--care--factitites--More-than-93878887887887-then-the-apptroatton-fee-shakk-se-5257288-"Caregory -- or -- Service" -- where -- there - is no - project - cesty shall not be G

Red. 2.0 at Source: Amended Section 1190.50 Fees Related to Modification of an Application or Alteration of a Permit

- Estimated Cost of the Project", the fee shall be recalculated on the notification. No action on the application will be taken by the State the application for permit which results in an increased "Total If, during the course of the Review Period, a modification is made basis of the revised cost estimate. Payment of any additional amount due shall be made by the applicant upon receipt Board until all fees are paid.
- If, after a permit has been issued, the permit holder proposes to alter a project per Part 1130, a processing fee shall be assessed for the project's amount of porrowed finds, the the fee amount shall be (1) \$1,000 & 590 if the proposed alteration does not increase the project cost above the approved permit amount, or (3) the greater of For alterations which do not increase or .2 of one percent of the dollar amount of the project which exceeds the approved amount: For alterations which increase the project's amount of borrowed funds, an additional fee shall be project's amount of borrowed funds, an additional fee shall be assessed and shall be the greater of \$1,000 or .2 of one percent of the dollar amount of the project's increase in borrowed funds. the review of the alteration. \$1,000 s5ee â

Reg. 111. 20 (Source: Amended at

Section 1190.80 Applications for Exemptions Other than Major Medical Equipment

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENT

Persons submitting applications for exceptions <u>for transactions other than the acquistion of major medical equipmen</u> shall be assersed an application fee of <u>acquistion of see of acquistion of major processing of the application. The Chaigman of the State Board will not place may application for exemption on its docker for action not acked any action until all required fees have been submitted.</u>

(Source: Amended at 20 111. Reg. effect

Section 1190.90 Applications for Exemption of Major Medical Syulpment

Persons substitute applications for evention for the acquisition of major medical requirement right be asserted in sprincation fee of the retearer of \$1.000 or 0.0 of one section of section 10.00 to section of the section of section of the section of section

(Source: Added at 20 Ill. Reg. effect

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DEPARTMENT OF REHABILITATION SERVICES NOTICE OF PROPOSED AMENDMENT

- Heading of the Part: Admission, Suspension, Expulsion and Discharge Procedures
- 2) Code Citation: 89 Ill. Adm. Code 755

1

- Section Numbers: Proposed Action: 755.25 Amended 755.40 Amended 755.40 Amended
- Statucory Authority: Implementing Sections 3, 10, 11 and 13 and authorized by Section 3 of "NA COT in Fairon to crabbilize tion of presons with one or more disabilities" (20 ILGS 2405/3, 10, 11 and 13)
- Complete bactering not the Subbests and Sause Innoversity Section 755.73 allows for direct referent to the Illinois Section 75.73 allows for direct reference to the Section 15.74 allows for direct reference to the Section 15.74 allows for the Section 75.70 allows contends not exceeding separate prior to admission. Section 75.70 allows contends not exceed to the Section 75.40 allows the Illinois Section 15.40 al
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
- 7) Does this rulemaking contain an automatic repeal date? No
- Does this rulemaking contain incorporations by reference? No
- Are there any other proposed rulemakings pending on this Part? No ID Statement of Granuda Dalian Observed.
- 10) Exterment of Statewide Policy Objectives: This is not applicable to this Bulkmaking.

 11) Time. Piece and Manner in which interested persons may comment on this proposed rutemating. Interested persons may present their comments more formering these rules within 18 days after this issue of the Initions Repister. All requests and comments should be somitted in writing to
- Ms. Susan Warrner, Manager Regulations and Procedures Division Department of Rehabilitation Services P.O. Box 1912 Rehabilitation Services Springfield, IL 62794-9429 (217) 795-3996 or Twrt: (217) 785-3901
- If because of physical disability you are unable to put comments into

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

writing, you may make them orally to the person listed above.

- determined Department has that this rulemaking will not affect small businesses. The Initial Regulatory Flexibility Analysis: 12)
- Types of small businesses, small municipalities and not for profit corporations affected: n/a 2
- Reporting, bookkeeping or other procedures required for compliance: 9
- Types of professional skills necessary for compliance: n/a 0
- Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Projosed Amendment begins on the next page:

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DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES SUBCHAPTER f: EDUCATIONAL FACILITIES TITLE 89: SOCIAL SERVICES

ADMISSION, SUSPENSION, EXPURSION AND DISCHARGE PROCEDURES PART 755

Wards of the Department of Children and Family Services (Repealed) Admission of Students with Severe Physical and Health Impairments Admission of Blind, Visually impaired or Deaf-Blind Students Wards of the Department of Children and Family Services Meetings of the Admissions Review Committee (Repealed) Outcome of Application for Admission (Repealed) Admission of Students with Hearing Impairments Meetings of the Admissions Review Committee Representatives to be Present (Repealed) Components of an Application (Repealed) Admissions Review Committee (Repealed) Parent Participation in IEP (Repealed) Multidisciplinary Staffing (Repealed) Submission of Applications (Repealed) Outcome of Application for Admission Eligibility for Specialized Services Components of an Application Representatives to be Present Admissions Review Committee Application for Admission Development of the IZP 755.100 755.110 755.120 755.130 755.150 755.160 755.170 755.180 755.30 755.140 755.60 755,70 755.80 755.90 755.190 755.20 755.22 755.25 755.40 755.50

AUTHORITY: Implementing Sections 3, 10, 11 and 13 and authorized by Section 3 a Student Suspensions, Changes in Placements, and Discharges of Students Whether Determine are Dangerous to Themselves or Others Outcome of the Evaluation (Repealed) 9 Diagnostic Period (Repealed) Case Study Evaluation Inappropriately Placed Interim Services IEP (Repealed) Discharge 755.220 755.200 755.240 755.250

3 who

more H O of "AN ACT in relation to renabilitation of persons with one disabilities," [20 ILCS 2405/3, 10, 11 and 13].

SOURCE: Adopted at 6 Ill. Reg. 1235, effective January 18, 1982; codified at 6 Ill. Reg. 14370; amended at 12 Ill. Reg. 13971, effective August 19, 1988; amended at 15 Ill. Reg. 18243; effective December 10, 1991; amended at 20 Ill. , effective

Section 755.25 Components of an Application

in the case of the Illinois School for the Deaf (ISD) by the district: or linois School

Application to a State School can be made in one of the following

- disagrees with the placement option of the district after the Multidisciplinary Conference (MDC) and Individualized Education Program (IEP) are completed, the parent may apply directly to ISD or ISVI; however, placement of school district referrals shall be days of receipt of an application from a parent. If resources (classroom and dormitory availability, staff to student ratio and for the Visually Impaired (ISVI), if a parent given priority over placement of these applicants. ISD or ISVI notify in writing or by telephone the district within 15 commodities) are sufficient, applications by parents shall be considered at quarterly admission meetings (89 Ill. Adm. Code
 - following shall be submitted to the facility administrator of the State School at the time of application: (q
- by the district or a copy of the Hearing Officer's decision from A copy of the student's most recent MDC and IZP Report developed Application. (IL 488-2126)
 - of the district formally an appeal pursuant to 89 Ill. Adm. Code 800. A letter from the education official referring the 6
- The student's medical history, including a detailed immunization provisions in (a)(2) above apply, a letter shall not be required. record, and family history of hearing loss, visual impairment, congenital/physical and health problems, and any motor, speech, student for educational placement. 7
 - or self-care limitations the student may possess. Appropriate medical examinations: ŝ
- Either a current general physical examination or Certificate of Child Health Examination (Department Public Health form 001.2) completed within one year application.

οĘ

- Applicants to ECSRC must submit a medical examination report must submit an otological or audiological examination report. ISD 0 Applicants
- from the Division of Services for Crippled Children if Applicants to ISVI must submit an ophthalmological
- students six years of age or younger must submit a lead blood level screening report prior to admission as required optometric examination report. 3
- The student's most recent case study evaluation including all Code 226.535. components required by 23 Ill. Adm. . Adm. Code 665.140(f). (9

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DEPARTMENT OF REHABILITATION SERVICES NOTICE OF PROPOSED AMENDMENT

evaluation is more than three years old, the State School will either request the district to conduct and submit a current case study evaluation or make arrangements for a case study evaluation to be conducted at the State School prior to the student being considered for admission.

Other educational, medical, and social reports and documents as may be necessary for the application process (e.g., guardianship papers and birth certificate).

Reg. 50 at (Source: Amended

Section 755.30 Admission of Students with Hearing Impairments

the ages of three and twenty-one, if space is available, when it has been determined through an application and evaluation process, that ISD can provide Superintendent facitity-administrator of ISD shall admit students between

- 0 the Medical Practice Act of 1987 [225 ILCS 60/1] (Eith-Revr-State an appropriate program and the student can meet the following criteria:
 a) must be resident of Illinois, and
 b) who has resident of Illinois, and
 b) who have been disgnosed by a qualified otologist licensed pursuant
- 1987 [225 ILCS 110/1], filtr-Revr-Statr-1989,-chr-122,--par---7931--et Illinois Speech-Language, Pathology and Audiology Practice Act of segrt as having a hearing impairment, including those with secondary disabilities, in accordance with 89 Ill. Adm. Code 765.10(d). 7-between the ages-ce-three and twenty-one-who-restde-in-Eathnois-if-apace--is availabley---and--it--has--sen--determinedy-through-an-application-and have been diagnosed by a qualified audiologist licensed pursuant より897-67-11上上上十一日の日マーキキ89-上一年七一日の日に十一日日 0

In addition, the Superintendent may make both outreach and center based services available to infants with hearing impairments between the ages of evaiuation-processy-that-15B-can-provide-an-appropriate-programbirth to three if funds are available to provide for such services.

effective Reg. 20 (Source: Amended at

Section 755.40 Admission of Blind, Visually Impaired or Deaf-Blind Students

Illinois School for the deaf-blind--studentsy---diagnosed-by-an-opnthalmologist-licensed-pursuant-to-the Meditosk-Practtee-Act-On-k989-tikks-Rets-Ctat-Lucks-Lucks-Lucks-Ctat-On-Lucks-Lucks-Lucks-Lucks segnyr-or-optometrist-kicensed-parsmart-to-the-Ekkhots-Optometric-Practice-Act ・ 主主をマー・Revr---Stateので・--よりのファー・これで・--を主をフィー・プログネー・そも・-のののコグァーのの一次のグログ・カーンのはなる Appartment + includating - those - when - secondary - desable the back - included and a secondary this - Adm - Sode - 765 - 28 td ty between the ages of five and twenty - one who - reside - and been determined through an Visually Impaired (ISVI) shall admit students bizndy--visualiy--impakred-the it has The Superintendent factitity - administrator of if space is available, and Filtmots,

NOTICE OF PROPOSED AMENDMENT

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in addition, the Superintendent may make both outreach and center based deaf-blind including those with secondary disabilities, accordance with 89 Ill. Adm. Code 765.10(d).

services available to infants with sight impairments between the ages of birth and five if funds are available to provide such services.

Red. 2.0 3.5 (Source: Amended

effective

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NOTICE OF PROPOSED AMENDMENTS

Heading of the Part: Retailers' Occupation Tax

Code Citation: 86 Ill. Adm. Code 130

5

an appropriate

that ISVI can provide

application and evaluation process

Proposed Action: Amendment Amendment Amendment Section Numbers: 130.805 130.825

Statutory Authority: 35 ILCS 120

7

tulemaking amends Section 130.801, 130.805 and 130.825 regarding stockleeping requirements. These amendments provide guidelines for taxpayers to keep records used to establish taxpayer compliance in A Complete Description of the Subjects and Issues Involved: This rulemaking amends Section 130.801, 130.805 and 130.825 regarding machine-sensible format and for when taxpayers utilize electronic data interchange. 9

ON. Will this proposed rule replace an emergency rule currently in effect?

Does this rulemaking contain an automatic repeal date?

Does this proposed amendment contain incorporations by reference? Are there any other proposed amendments pending on this Part? Yes 6

5470 3/29/36, 20 III. Reg. 50 4/12/96, 20 III. Reg. 54/19/96, 20 III. Reg. 57 6/14/96, 20 III. Reg. 57 IL Register Citation Proposed Action New Section New Section Amendment Amendment Section Numbers 130.1952 130.1501 130.310 130.331

This rulemaking does not create a state mandate, nor does it modify any existing state mandates. Statement of Statewide Policy Objectives: 6

Time. Place and Manner in which interssed persons—an comment on this proposed related withing 1 bersons and value has been commented in this proposed related in writing by no later than 15 days after publication. of this notice to:

Terry D. Charlton Associate Counsel

Illinois Department of Revenue Springfield, Illinois 62794 Phone: (217) 782-6996 Legal Services Office 101 West Jefferson

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NOTICE OF PROPOSED AMENDMENTS

Thes of small businesses, small minicipalities and not for profit goodsacions affected to Ary Profit tayage subject to the Retailers' Occupation Tax Act that utilizes electronic data interchange or books and records in a machine-sensible format.

Initial Regulatory Flexibility Analysis:

- Reporting, bookkeeping or other procedures required for compliance:
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 1996 The full text of the Proposed Amendment(s) begins on the next page:

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CHAPTER I: DEPARTMENT OF REVENUE NOTICE OF PROPOSED AMENDMENTS TITLE 86: REVENUE

RETAILERS' OCCUPATION TAX PART 130

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Character and Rate of Tax

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, Executors	g or Rental
Receivers,	by Leasing
Trustees,	Vehicles
Responsibility of Trustees, Receivers, E Occasional Sales	Sale of Used Motor Vehicles Habitual Sales

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or Administrators

1 Business

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or Resale	
Purchasers f	arono atta
The Test of a Sale at Retail Sales for Transfer Incident to Service Sales of Tangible Personal Property to Purchasers for Resale Further Illustrations	Sales to Lessons of Tangible Personal property
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Processing,

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on State or Local Tax Passed on to	
Tax.	
Local	
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Meaning of Gross Receipts How to Avoid Paying Tax Purchase:	Cost of Doing Business Not Deductible
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Some	4400
Under	40 40
Taxpayer Display	Daniaconort of Cortificato
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Certificate Reguired For Mobile Vending Units Certificate Not Transferable

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Than

Covering More

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40

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Examples of Tax Exemption Cards ILLUSTRATION A:

authorized by Section 3953 of the Civil Administrative Code of AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act Illinois [20 ILCS 2505/39b3]. 120 and

SGURGE, addoced July 1, 1331, annuada at 7111. Reg. 50, p. 71, effective membersher 10, 1979; amended at 7111. Reg. 15, p. 74, effective March 23, 1379; amended at 7111. Reg. 15, pp. 93 and 95, effective March 25, 1975; amended at 7111. Reg. 71, pp. 1379; amended at 7111. Reg. 71, pp. 1379; amended at 711, pp. 1379; effective member 1111. Reg. 41, pp. 131, pp. 132, pp. 132, pp. 132, pp. 132, pp. 132, pp. 133, pp. amended at 5 Ill. Reg. 318, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective harm ll, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981, amended at 6 Ill. Reg 2860, effective March 1987, amended at 6 Ill. Reg 6789, effective May 24, 7987 coddfied at 6 Ill. Reg 9. 8289 recodified a 6 111 Req. 1999 namade a 511 Req. 1335, effective December 1, 1989 nameded at 7111, Rep. 7390, effective to 15, 2931 nameded at 711, Rep. 7391, and a 731, a 6 feetive April 11, 1991 nameded a 2 111, Rep. 1962, 1962, and a 6 feetive September 5, 1984, and and a 11, Rep. 1962, and a 6 feetive September 5, 1984, and a 6 feetive Duy 1, 1985, and a 5 feetive Duy 1, 1985, and a 101, 1985, and a 6 feetive Duy 1, 1985, and a 6 feetive a 6 feetive Duy 1, 1985, and a 6 feetive a 6 feetive Duy 1, 1985, and a 6 feetive and a 7 feetive effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 111. Reg. 6252, effective March 20, 1987; amended at 11 111. Reg. 18757, 1987; amended at 11 111. Reg. 18767, Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772,

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14 III. Reg. 16128, effectivo September 18, 1997, amended at 15 III. Reg. 6621, effectivo Abril 17, 1991, amended at 15 III. Reg. 13542, effectivo Angust 30, 1991, amended at 15 III. Reg. 1575, effectivo October 15, 1991, amended at 18 III. Rep. 1643, effective innary II. 1993, amended at 17 III. Rep. 260, effective innary II. 1993, amended at 17 III. Rep. 260, 1912, effective Grooser 4, 1993, amended at 17 III. Rep. 1952, effective Normber 2, 1993, manded at 18 III. Rep. 260, 1984, amended at 18 III. Rep. 260, 1984, amended at 19 III. Rep. 260, 1984, amended at 19 III. Rep. 260, 1984, effective Spreader 7, 1994, amended at 19 III. Rep. 260, 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 260, 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1991, amended at 19 III. Rep. 1984, effective Spreader 20, 1984, effective Sprea 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14 Ill. Reg. 241, 12, 1995; amended at 19 Ill. Req. 13568, effective September 11, 1995; amended at 19 Ill. Reg. 13968, effective September 18, 1995; amended at 20 Ill. Reg. 4428, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Req. 6991, effective May 7, 1996; amended at 20 1987; amended at 11 Ill. Reg. 19138, effective October at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Reg. 19531, effective November 4, 1988, not to exceed the 150 day time effective December 21, 1989; amended at 14 ill. Req. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at , effective effective October 28,

SUBPART H: BOOKS AND RECORDS

Section 130.801 General Requirements

- requisitions, inventory records prepared as of December 31 of each year or otherwise annually, as has been the custom in the specific sales and purchases of tangible personal property, including all sales and purchase involces, purchase orders, merchandise records and Every person engaged in the business of selling tangible personal trade, credit memos, debit memos, bills of lading, shipping records, and all other records pertaining to any and all purchases and sales of goods whether or not the retailer believes them to be taxable under the Act; and the retailer shall also keep summaries, recapitulations, totals, journal entries, ledger accounts, accounts receivable records, accounts payable records, statements, tax returns with all schedules or pertinent working papers used in connection with the preparation of such returns, and other documents listing, summarizing or pertaining property at retail in this State shall keep records and books to such sales, purchases, inventory changes, snipments transactions. (a)
- Retailers must maintain complete books and records covering receipts from all sales and distinguishing taxable from nontaxable receipts.
- Such books and records must clearly indicate and explain all the information (deductions as well as gross receipts) required for tax ô

DEPARTMENT OF REVENUE

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to inspection and audit by the Department or its duly to be retained under this ceturns and shall, at all times during business hours of the day, If a taxpayer retains records required authorized agents and employees,

ooth machine-sensible and hard-copy formats, the taxbayer shall make the records available to the Department in machine-sensible format upon request.

being located outside Illinois, and where all books and records have been regularly kept ourside the State at such head office. Under such instances where a business has several branches, with the head office circumstances, upon written permission from the Department, books and records may be kept outside Illinois, but the taxpayer must, within a pertinent books, records, pagers and documents available at some point within Illinois for the purpose of such inspection and audit as the reasonable time after notification by the Department, make all e.d) Such books and records must be kept in the English American language. If Such books and records must be kept within Illinois except in

q)6) It shall be presumed that all sales of tangible personal property are subject to tax under the Act until the contrary is established, person who would be required to remit the tax to the and the burden of proving that a transaction is not taxable shall be Department if such transaction is taxable. In the course of any audit given taxpayer, if the Department finds that the taxpayer lacks documentary evidence needed to support the taxpayer's claim to exemption from tax, the Department is authorized to notify the taxpayer in writing to produce such evidence, and the taxpayer shall have 60 days subject to the right in the Department to extend this period either on request for good cause shown or on its own motion from the date when such notice is sent to the taxpayer by certified or registered mail for delivered to the taxpayer if the notice is served personally) in which to obtain and produce such evidence for the closed, and the transaction shall be conclusively presumed to be Department's inspection and audit, failing which the matter shall or investigation or hearing by the Department with reference Department may deem necessary. upon the

effective Reg. 20 r) (Source: Amended

Section 130.805 What Records Constitute Minimum Requirement

records must be made available on request by the Department. In General. A taxpayer shall maintain all records that are necessary tangible personal property at retail, the following records will deemed by the Department to constitute a minimum for the purposes a determination of the correct tax liability under the consists exclusively Where a taxpayer's business

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- Cash register tapes and other data which will provide a daily To fulfill this A record of the amount of merchandise purchased. record of the gross amount of sales.
- serially and in stock on hand and taxpavers' A true and complete inventory of the value of invoices retained requirement, copies of all vendors' copies of purchase orders must be sequence as to date.
 - Microfith -- and -- Microfiche -- Records -- Records -- may -- be -- microfithed or microfitched-ss-tong-ss-such-microfitmed-snd--microfitched--records--are authmenticy-accessible-and-readabley-and-the-Eollowing-requirements-are taken at least once each year. + q
- Reproductions--of--all-all-orainal--records--muse--be-produced-upon Appropriete-factitites-are--provided--for--preservetion--of---the request-by-the-Bepartment-or-ats-authorared-representatives;
 - Microfiche-or-microfilim-records-are-indexedy-oross-referenced-and isbeted--to--show--beginning--and-ending-numbers-or-teginning-and ending--atomabettear--itsting--of--documents--tnetudedy--and--are systematically-filed-to-permitt--the--immediate--iodatton--of--any and--a--dontrex---bog--or--catatog--of--such--documents--must---be microfilm-or-microfiche-for-periods-required-
- おなだけなけるこの一つ気はあた。 かんかー なんな上立なり上のののコースをよななをもたっちを一つかっちゅうない ひゅうちゃく 一会 neaden iprincery - in - - working-order-at--the--examination--site---readingy--iocatingy--and--reproducing--any--record--maintained-on microfilm-or-microficher

maintainedy

- When-displayed-on-a-microfilm-or-microfilm-or-mid-one-reader--/viewery--or reproduced--cn--papery--the--materak-muse-exhibite-tegibitet-yend readabtitby-Legtbiltby-ta-defined-as-the-gualtty-of-a-retter--or sumersi---that---enables-the-observer-co--destify-tt-postt-vely-and quicki y-to-the--excitaton--of--akk--other--ketters--or--numerake-Readabittty--is--defined--as-the-quaitty-of-a-group-of-letters-or numerake-cerna-recognised-as-words-or-demprese-numbers-5
- The taxpayer retains the aicroftlm or microfiche coptes so tong as--tne-contents-therreof-may-be-materia≥-tn-the-administation-of any-audit-by-the-Department-face-Tilt-taey-tiley--Stat-19495y---the -46++-+apc 49
 - financial records, provide---the records-reguired-for-the-verification-of-tax-risabitity---such ADP System must include a method of producing legible and readable records provide the necessary information for verifying such tax liability. If a taxwaver retains records required to be retained under Section 130.801 of this Part, in both macnine-sensible and Records prepared by Automated Data Processing Process Systems (ADP). When an An ADP tax accounting system is may-be used to maintain all hard-copy formats, the taxyaver shall make the records available part of a taxpayer's accounting or which will e a

WOTICE OF PROPOSED AMENDMENTS

Department in machine-sensible format upon request of the ADP accounting systems encompass all types of data processing systems including, but not limited to, mainframe computer (DBMS) and systems using Electronic Data interchange (EDI) technology. The following requirements apply re-any systems, stand-alone or networked microcomputer systems, Systems

- k) Recorded -- or -- Reconstructible Dater -- ADP seconds Shakk provide an opportunity-to-trace-any-transaction-back-to-the-original--source or--forvard-to-a-ritnek-totsk---Ff-detatked-printouts-are-not-made ON-11192309041039-94-178-178-1428-1428-1428-010089984-1428-1428-19404919191 -February-Bernderenter-Bone - Bone - Bone - Bernder-Bernder-Bernderen
- Generat -- and -- Substdtary-Books-of-Account--- A-generat-tedger-with source-references-and-substain-redusers-snakk-be-vn+tten-out--to have-the-spiritty-to-reconstruct-these-transactions-
- Supportions Bocusents - and Audit Pratis - The and to the take destaned-so-that-the-detskis-underrykna-the-ssummsry--socounting data--suco-su-suies-invercesy-purchase-invercesy-credit-memenanda connende - wath-financial-reports-for-tax-reporting-periodsy #
- Program -- Becamentation -- A -- description of the ABP portion of the accounting-system-snail-snail-be-made-systhable----ghe---statements--and ***:ustrscions--describing--the-system-snd-scope-of-ADP-operations beang-pendormed-snakk-be-suffitchent-y-detakked--to--kndkoate--ahe BODINTOROTORS - - CONTROL - DOUBLE OR BODING - BODING - OR COOR CONTROL - CO P400ess4ng---spothd--D6---Johed--shopg-44477-478-Agtes-ppd-18944re--of requestr +
- Bata-Storage-Media:--Adequate-record-retention--facilities--shall be--ayarkabre--for--stor-nata--tax--and--ADP--records--required-for vertificantica-of-tax-litabitit∀v--Records--recutred--yould--include data--prepared-for-input-in-processing-accounts-payabley-accounts recervable-or-any-purchase-or-sales-journak-entures-necessary-for ŧ

important-changes-

Database Management System" or "DBMS" means a software bookkesping-and-tax-reporting-purposes-4

that oreates, controls, relates, retrieves and

System

- provides accessibility to data stored in a database. "Electronic Jata Interchange" or "EDI technology" means the computer-to-computer exchange of business transactions in a standardized structured ejectronic format.
- "Macnine-sensible record" means a collection of related information in an electronic format. Machine-sensible records to not include hard-coay records that are created or on paper or stored in or by an imaging system such as microfilm, microfiche or storage-only imaging systems. d
- "Storage-only imaging systems" means a system of computer hardware and software that provides for the storage, al

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WOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF REVENUE

retrieval of documents originally created on paper. It does not include any system, or part of a system,

manipulates or processes any information

reproduce the document in hard-copy or as an optical image. Hard-copy" means any documents, records, reports or other contained on the document in any manner other data printed on paper.

- Recordkeeping Requirements Machine-Sensible Records General Requirements
- compliance shall be retained by the taxpayer. The retained records shall provide sufficient information taxhaver in any rax or information returns. The machine-sensible records shall contain sufficient transaction-level detail information so that the details and the source documents underlying the machine-sensible records can be identified and made to establish matters required to be snown by establish pesn Macmine-sensible records
- to the tax ceturn by establishing the relationship [s.a., the addit taki] between the total of the amounts in the retained records to the totals in the goods and to the rax return. available to the Department upon request.
 The retained records should reconcile to the books and
 - For purposes of this Section, "capable of being processed" means to be able to retrieve, This term does not encompass any requirement that the program or system that greated the computer data be available to process the data unless the process is manipulate, print hard-copy, or produce other records must be capable The retained processed. (11)
 - A taxpayer who does not create the electronic equivalent of a traditional paper iccument in the ordinary course of business is machine-sensible records other than those created not required to construct such a record essential to a tax-related computation. required ordinary course of business. not Caxpayers are coscorio .
 - All records required to be retained under this Section shall be preserved unless the Department has provided In writing that the records are no longer required explained in Section 130.825 of this part. 걲
 - processes and technology, the level of record detail, in combination with other gecords selated to the transaction, must be equivalent to the level of detail Where a taxpayer uses electronic Slectronic Data Interchange B)

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the retained records should contain such information is wendor name, involve date, product description, quantity purchased, price, amount of tax, indication of tax status, shipping detail, etc. Codes may be used to identify some or all of the data elements, provided that the taxpayer provides a method which allows the Department to interpret the coded For example, contained in an acceptable paper record.

trail, trail, such the audit trail, suthenticity and integrity of the retained records can accounting system and need not retain the original EDI information. The taxpayer may capture the information necessary at any level within Satisfy subsection (B)(i)

se established.

interchante technology receives alectronic data interchante technology receives alectronic involves from interpoletis. The temparer Secides to recent teamsociation in its accounts market a system rather than to retain the EDI transactions themselves. Since neither the EDI transaction nor the accounts bayable system capture information from the invoice pertaining to product description and wendor name (i.e., they contain only codes for that information), the taxpayer also retains other records, such as its wendor master. file and product code description lists and makes them avaliable to the Department. In this example, the taxgaver need not retain its EDI transaction for tax available to the Department.

requirements for an electronic data processing accounting system are similar to that of a manual accounting system, in that an adequately designed accounting system should incorporate methods and exported nat will satisfy the requirements of this Section. Reduirements. Electronic Data Processing Systems purposes. d

Such description shall include the relationally between the records and the tax documents Expeared by the taxapare and the measures employed to ensure taxable and integrity of the records. the taxpayer shall Recordkeeping Requirements - ADP Systems Documentation provide a description of the business process the request of the Department, retained records. the retained seconds, relationship between t Coon B

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flow of data through the system; the internal controls used to ensure accurate and Sunctions being performed as they relate to the The taxpayer shall be capable of demonstrating: 9

reliable processing; and

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DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

iii) the internal controls used to prevent the unauthorized

- addition, alteration or deletion of retained records. is required ield definitions (including the meaning of machine-sensible records pursuant to this Section: following specific documentation record formats and layouts:
 - "codes" used to represent information);
- My changes to the stems specified in subsections (B) and C) above, together with their effective dates, shall be documented and made available to the Department file descriptions (e.g., data set name), and detailed charts of accounts and account less: Any changes
 - Machine-Sensible Records Maintenance Requirements
- Devartment recommends but does not require that taxbayers seek to the National Archives and Record administration's IMERA; standards for guidance on the maintenance and storage The establishment of records management practices is sole, at the discretion of the taxpaver, who ultimately bears to burden of producing records capable of being processed of an examination by the Department. of electronic records. the time
- de stablishen grootes management, practices, paraytes should consider, dor amende The labeline of seconds the security of the stockee millioment, the creation of Description copies and their stockee millioment, the creation and the seconds. **a**
 - The NARA standards may be found at 36 CFR 1234, July 1, 1995
- shall the processing of or the extraction and The taxpayer's computer hardware or software accommodate the processing of or the extr conversion of retained machine-sensible records.
- Department is provided access to machine-sensible records as Part may be satisfied through a variety of means that snall take into account a taxpeyer's facts and circumstances through consultation with the taxpayer. Such access will be provided in 30.805(b) and Section 130.801(d) The manner Access to Machine-Sensible Records. required in Section 1 5
 - machine-sensible records for use on the Jepartment's one or more of the following manners: A taxpayer may provide the Department copies of
- resources necessary to the taxpayer may arrange to provide the Department with access and process the machine-sensible records; personnel hardware, software and 9
- The taxyaver may arrange for a third party to provide the hardware, software and personnel resources necessary to access and process the machine-sensible records, d

NOTICE OF PROPOSED AMENDMENTS

- The tax ayer may convert machine-sensible records to a standard record format specified by the Department on a may include conversion to a different medium (e.g., from mainframe files to microcomputer diskette). These records may be processed on the Department's equipment or at the na metic medium that is agreed to by the Department. a
- The taxpayer and the Department may agree on other means of providing access to the machine-sensible records. ø
- taxtavers are empowered to determine which of their machine-sensible records must be retained and which records tneir responsibilities under the Act, may be discarded. These deterninations require a consideration of all the facts and circumstances, including Taxgayer Responsibility and Discretionary Authority discharging
 - In general, taxpayers should retain the machine-sensible that are the most direct evidence of the information in the departmental records is contained in the central system and the requirements of the Section are met. provided that appropriate monthly, quarterly or annual data central system could be discarded provided that all required Similarly, daily or weekly data files could be discarded transactions, and have discretion to discard duplicated the data during an audit. For example, departmental records records and redundant information. In exercising thi discretion, the taxpayer should penerally retain thos records that best facilitate the retrieval and processing o stored in departmental data files that are duplicated whether duplicated or redundant records exist. spicoan 9
- A taxpayer may contract with a third party to provide appropriate to create and retain a file that contains the transaction-.evel detail from the database management system separate file to show the relationship between that file and In conjunction with meeting the requirements of this Section, a taxpayer may create files solely for the use of For example, if a database management should document the process that created and that meets the requirements of the Section. system is used, it is consistent with this Section tites with the ability to access
 transaction-level records are available. the original records. the Department. axpayer. axpayer Files 6 ଗ
 - custodial or management services of the records. Such a relieve the taxpayer responsibilities under this Section. shall not

tax,avers may convert hard-copy documents received or produced in the normal course of business and required to be retained under this storage and retention, Alternative Storage Media. For purposes of ଶ

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may discard the original hard-copy documents, provided the substitute for machine-sensible records (e.g., magnetic rapes, magnetic cartidges or magnetic disks) described in subsection (b) of this Section. Documents which may be stored on these media include, registers, ceneral and suceidisty edders and supporting records of details, such as sales invoices, purenes an exercisces, exempsion exertificates and oresit memoranda. Microfilm, microfiche and other to microfilm, microfiche or other storage-only imaging systems These records are not storage-only imaging systems shall meet the following requirements: but are not limited to, general books of account, cournals, conditions of this Section are met.

- imaging systems must be maintained and made quest. Such documentation shall, at a minimum, Documentation establishing the procedures for converting the contain sufficient description to allow an original document to be followed through the conversion system as well as internal procedures established for inspection and quality assurance. documents to microfilm, microfiche or available on request. stora re-only /dop-part
 - processing, storage and oregevation of the storage dequents and tell standard them are sequenced to be get standard them are sequenced to be get and any and the service of Procedures must be established for the effective identification, 57
- Microfiche, or microfilm or other storage-only imaging systems or other storage-only maging systems must be maintained and arranged in a manner that permits the location of any particular record. All data stored on microfilm, microfiche 3 7
 - permit the immediate iddation of any particular record. A gosting reference must be on each document and a control ing or beginning and ending numbers or beginning and ending alphabetical listing of documents included, and are systematically filled records are indexed, cross-referenced and laceled
- catalog of such documents must be maintained. Upon request of the Department, a taxpaver must broylde locating and reproducing any documents maintained on microfilm, microfiche or coner storage only imaging systems. acilities and equipment, in good working order, 3
 - quality of a letter or numeral that shables the observer to identify it positinely and quickly to the exclusion of all other or numerals being recognized as words or letters or numerais. Readability is defined as the quality derined as When displayed on such equipment or reproduced on paper, oldn degree of For this purpose, legibility expibit Tust :erters readability. documents aconost ୍ତା
- There is no substantial evidence that the microfilm, microfiche of other storale-only imaging systems lack authenticity or integrity. 2

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- on Hard-Copy Recordkesping Requirements Effect
- relieve taxpayers of the responsibility to retain hard-copy ousiness as required by existing law and regulations. Hard-copy Except as otherwise provided, the provisions of this Section records may be recained on a recordkeeping medium provided records that are greated or received in the ordinary
- If hard-copy econds are not produced or received or required to be produced or received in the ordinary course of transacting pusiness (i.e., when the taxpayer uses electronic data interchange technology), such hard-copy records need not be when the taxpayer uses electronic 5
 - Unless hard-copy records are required to be provided or received, 3
- hard-copy records generated at the time of a transaction need not be retained if all the details relating to the transaction are subsequently received by the taxpayer in an EDI transaction and are retained by the taxpayer in accordance with this Section.
- Hard-copy records generated at the time of a transaction using a credit or debit card must be retained unless all the details lability relating to the transaction are subsequently received and retained by the taxeaver in accordance with this Section. Such details include, necessary to determine correct tax 4
- but may not be limited to, those listed in subsection (b)(2)(B). Computer printouts that are created for validation, control or a
- nard-copy printouts of retained machine-sensible. These requests may be made either at the time of an in conjunction with the testing described the Department other remorary purposes need not be retained. Nothing in this Section shall prevent the shall prevent Section 130.825 of this Part. examination requesting 1

Reg. æç Source: Amended

Section 130.825 Department Authorization to Destroy Records Sooner Than Would

- destruction of books and records and other papers prior to the expiration of the periods of time during which the taxpayer, except for such written authorization from the Department, is required to keep his books and records. The Department may will authorize destruction of records if the records are preserved in microfilm, microfiche, other storage-only imaging systems or an electronic data processing system ADP and meet the conditions as prescribed in Section authorize In all cases, the Department may, in writing, Otherwise be Permissible a)
- The Department may, at the request of the taxpayer, enter into a Record Retention Limitation Agreements 130.805tbj-or-tej. a

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MOTICE OF PROPOSED AMPNUMENTS DEPARTMENT OF REVENUE

- section 130.805. A taxpaver's request for such an agreement must wall as proposing any other terms of the requested agreement. The taxpayer shall remain subject to all requirements of Section 130.805 that are not modified, waived or superseded by a duly may modify or waive any of the specific requirements of specify which records (if any) the taxpayer proposes not retain and provide the reasons for not retaining such records approved record retention limitation agreement. record retention limitation agreement with
 - identify anno for the apprier's records the Department has determined also not necessary for several and which his apparent man is also clearly state again attend withmen it fare; from the notions provided the Section 18355. The streement half also doppment orest The Separtment may revoke or modify a record retention imitation shall specifically understandings reached with the Department, which may include, but not be limited to: The record secention limitation agreement agreement or any provision thereof.
 - conversion of files created on an obsolete computer restoration of lost or damaged files and the actions to System; 902 **a**
- to enter into a record retention limitation agreement shall not relieve the tax mayer of the responsibility under the Act to keep Q) use of taxpayer computer resources. The Department shall consider a taxpayer's request for a record retention limitation agreement and notify the taxpayer of the to be taken. The Department's decision to enter or not adequate and complete records necessary to a determination of tax actions liabil
 - accounting and tax systems added subsequent to the effective date All machine-sensible records produced by a Subsequently added accounting or tax system shall be retained by the taxbayer in accordance with Section 130.805 until a new Unless otherwise specified, an agreement shail not the agreement.
- of a record recention limitation agreement, is acquired by the acquired by the acquired subsidiary small be retained pursuant, to Section 131,305 and any record retention limitation agreement man may nave been in subsidiary or other entity that, subsequent to the effective date effect for the acquired subsidiary ("pre-acquisition agreement"). The provisions of the pre-acquisition aggenent snail continue to apply to the acquired subsidiary until revoked or modified by the Department or a new agreement applying to the acquired subsidiary Unless otherwise specified, an agreement snall not apply agreement is entered into with the Department. is entered into. 3

NOTICE OF PROPOSED AMENDMENTS

- To evaluate the propriety of a record retention limitation agreement, the Department may conduct an evaluation of the taxpayer's record retention practices. The evaluation may nclude a review of the taxpayer's relevant data processing and accounting systems, including systems using electronic data interchange technology. 7)
- The Department shall notify the taxpayer of the results of any evaluation, including acceptance or disapproval of any proposals made by the taxpayer (e.g., to discard certain records) or any changes considered necessary to bring the
- taxpayer's gractices into compliance with Section 130,805.
 The evaluation of a raxpayer's record retention practices
 than risis Section is not literally related to the determination of tax reporting accuracy for a particular period or return. An evaluation made under this Section is not an "audit". 9

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NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF REVENUE

- Heading of the Part: Uniform Penalty and Interest Act
- Code Citation: 86 Ill. Adm. Code 700
- Proposed Action: Amendment Section Numbers:
- Statutory Authority: 35 ILCS 735/3-3 as amended by P.A. 89-379, effective January 1, 1996 7
- rulemaking updates the Department's Uniform Penalty and Interest Act rules by P.A. 89-379. The rules are amended to explain that effective January 1, 1996 the legislation provided that the late filling penalty became a two tier penalty. The first tier penalty is equal to 2% of the tax required regard to payments or credits. If any return is not filled within 30 days after notice of non-filling issued by the Department an additional, second to reflect the modification of the late filing penalty (UPIA Section 3-3) tier penalty shall be imposed, equal to the greater of \$250 or 2% of the \$5,000. The rulemaking sets forth thèse statutory changes, and provides tax shown on the return. This additional penalty is capped by law Complete Description of the Subjects and Issues Involved: determined to be shown due on a return up to a maximum of \$250 examples of the operation of these provisions. (5
- ô Will this proposed rule replace an emergency rule currently in effect?
- 8 Does this proposed amendment contain incorporations by reference? Does this rulemaking contain an automatic repeal date?
 - Are there any other proposed amendments pending on this Part? 6
- Statement of Statewide Policy Objectives: This rulemaxing does not create a state mandate. This rulemaking does not modify any existing state
- Time, Place and Wanner In which interested persons may comment on this proposed rilemaking Persons who wish no stability comments on this proposed the may be persons who wish you cannot be to this proposed the may be both to mee it han if days after publication of this notice to:

Associate Chief Counsel (Income Tax) Illinois Department of Revenue Legal Services Office 101 West Jefferson Reith Staats

Springfield, Illinois 62708 Phone: (217) 782-7055

NOTICE OF PROPOSED AMENDMENTS

- Any small business that Types of small businesses affected: files a tax return late. Initial Regulatory Flexibility Analysis: (A
- Reporting, bookkeeping or other procedures required for compliance: No additional reporting, bookkeeping or other bookkeeping procedures are required. Reporting, (B
- Types of professional skills necessary for compliance: None
- 13) Requiatory agenda on which this rulemaking was summarized: January 1996 The full text of the Proposed Amendment(s) begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS DEPARTMENT OF REVENUE

CHAPTER I: DEPARTMENT OF REVENUE TITLE 86: REVENUE

UNIFORM PENALTY AND INTEREST ACT PART 700

SUBPART A: SCOPE AND APPLICATION OF THE ACT

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Scope	Applicatio
Section 700.100	700.110

Part

SUBPART B: INTEREST

SUBPART C: PENALTIES

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Late Filing or Failure to File and Penalty for Late
Penalty for
Payment of Tax
                             700.310
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700.300 700.330 700.340 700.400 700.500

Penalty for Failure to File Correct Information Returns Penalty for Negligence Penalty for Fraud Personal Liability Penalty

SUBPART D: REASONABLE CAUSE

Reasonable Cause

SUBPART E: PAYMENT APPLICATION

AUTHORITY: Implementing the Uniform Penalty and Interest Act [35 ILCS 738], and authorized by Section 39b3 of the Civil Administrative Code of Illinois Payment Application (20 ILCS 2502/39b3), SOURCE: Adopted at 18 III. Reg. 1561, effective January 13, 1994; amended at 19 III. Reg. 1909, effective February 6, 1995; amended at 20 III. Reg. , effective

SUBPART C: PENALTIES

Section 700.300 Penalty for Late Filing or Failure to File and Penalty for

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A penalty of 5% of the tax required to be shown due on a return shall be imposed for failure to file the tax return on or before the due date prescribed for filing determined with regard for any Late filing penalty for original returns due prior to January 1, 1996. (a)

Cate Payment of Tax

- If any unprocessable return is corrected and filed within 21 days after notice by the Department the late filling or nonfilling penalty shall not apply. (Section 3-3(a) of the Act) The time for filing (penalty for late filing extension of nonfiling).
 - unprocessable return must have been filled on or before the due In other words, a taxgayer may not unorocessable return which is then corrected within 21 days attempt to avoid the 5% penalty by the late filing of date prescribed for filing of that return, with regard any extension of filing. notice oy the Decartment.
- A return, for purposes of the imposition of this penalty, is not an information return as that term any return required by a tax Act to be filled with Department that is not an information is defined in Section 3-4(c) of the Act.
- 1: A withholding agent files Form IL-941 (Employer's Quarterly Illinois Withholding Tax Return) for third quarter 1994 on November 1, 1994. The total October 31, 1994. A Late payment filling penalty is imposed as follows: Total Illinois tax withheld (\$500,000) times EXAMPLE 2: A withholding agent files Form IL-W-3 (Reconciliation of Illinois Income Tax Withheld and 1, 1994. The total Illinois tax withheld is 31,000,000. The form was due on February 28, 1994. A late Total Illinois tax withheld (S1,000,000) times the 5% late filling penalty is Transmittal of Income and Tax Statements) for tax year the 5% late'filing penalty equals \$25,000. filing penalty is imposed as follows: on March EXAMPLE
- If a penalty for late filing or nonfiling is imposed in the total penalty due shall be the sum of the late filling penalty and the applicable addition to a penalty for late payment, 3
 - late jayment penalty (Section 3-3(a) of the Act). Late filling senalty for original returns due on and after January 의
- A penalty equal to 2% of the tax required to be shown due on a return, up to a maximum amount of 3250, determined without regard to any part of the cax that is paid on time or by any credit that was properly allowable on the date the return was retuired to be falled, shall be imposed for failure to file the tax return on or before the due date prescribed for filling decemend with resend

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- CANAGE AND MACHINE CONTINUES AND CONTINUES AND AND CONTINUES AND CONTINU The control of the Gill Story on a section of the control of the Gill Story of the Gill Story of the Gill Story of the Gill Story of the Story of th EXAMPLE 1: Your Form ST-1 is due by April 20, but you file it on May 17. The tax shown due on your return is \$2,000. within 30 days after the dite of our notice, addition there are not the control of the state on the stop between the second of the state by April 15, but thinking it for mother the control of the both of the control of the both of the control of for any extension of time for filing.
 - Troversent Credit of \$2,000 ts claimed beints four accordance on the state of the s notify you that you owe a genality of \$250 (28 x \$18,500 = \$370; \$370 is greater than \$250, therefore EXAMPLE i: Your Form IL-1100 is due by March 15 but you file it on December 20 differ the exceeded due date). The file is on December 20 differ the exceeded due date). The differe has shown on the require is \$6,000 and the replacament you owe \$250), and interest because you did not file your \$182.50 is less than \$250, therefore you twe \$182.50) your refund by \$182.50 and issue you a check for because you did not file your return by the due date. return by the September 30 due date.
- penalty amount shall be imposed squal to the greater of 3250 or 2% of the tax shown on the return. However, the additional 2% of the tax shown on the return. However, the additional penalty amount may not exceed \$5.000 and is determined vithour egazed to any part of the tax that is paid on the date the return If any return is not filled within 30 days after notice of the taxyayer contained in Department records, an additional nonfiling mailed by the Department to the last known address o

NOTICE OF PROPOSED AMENDMENTS

was required to be filed /penalty for late filling or nonfilling) (Section 7.2 is of the Acrl. 1s due by September 30, but you do

to respond victor 10 days. Toy file your results 15 days to respond to the file of the control o

1 (f. m. directorate) to starting as controlled and fine distribution to the present of the pres

of Languages and The Company of Table 20 and Table 20 and

extension; is stored on the procedure from the contension of the c

itability) or "Tour Porm II-1170 is due "V.March 15. Tou Limby Elda You'n tevurn no Worth 15. our you'n nut nade "Yout Else: estimated agusent of \$335.00, you were required to make four estimated agusents. The cost law grown like no Youk: seturn is \$1.500. You pay the emaining \$1.52.50 you

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DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

National Controlling Controlling Controlling Controlling States (\$15.00 to be additional controlling C

after our notice, additional interest will accrue on the

PANESS 7: See 2611 at 10 Deamle | beyon scoops has provided by the control of the

of additional liability), within 20 24 days after a period for providing payment in response to Department notices and final assessments is effective for notices and assessments is not shown (penalty for late payment or notice of arithmetic error, notice and demand, or a final In the case of a final assessment arising following a protest and hearing, the 30 22--day period shall not begin until all proceedings in court for review of the final assessment have terminated or the period for obtaining a review has expired without proceedings a review having been instituted. In the case of a notice without a protest and hearing, the penalty provided in this Section the filing of a protest. (Section 3-3(b) of the Act) the 30-day notices and assessments issued prior to January 1, 1996 within 21 any tax required to be shown due on issued on or after January 1, 1996. Taxpayers nust respond shall be imposed at the expiration of the period provided of tax liability that becomes a final assessment assessment is issued by the Department. Eull amount of any tax z return and which nonpayment for the

ADAM, TOWE FOUR DOIS 37-1 is due by August 100, 700 timely file your event but do not not do not not be not set in 200 set amount die fact to the set of t

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of the

whichever is applicable, reduced by any part of the tax which is paid on time and by any credit which was properly allowable on the date The amount of this lare payment penalty, unlike some late payment penalties that were imposed prior to the adoption of the Uniform Penalty and Interest Act, does not change over time. The lare payment penalty is the same whether payment is one day late, or one late payment penalties, the basis of the the return was required to be filled. (Section 3-3(c) of the Act) penalty shall be the tax shown or required to be shown on the return, dlet For purposes year late.

eld? A penalty shall be applied to the tax required to be shown even if that amount is less than the tax shown on the return. (Section 3-3(d) of the Acri

on July 20, 1994. The tax shown on the return filled on July 20, 1994 is \$500, but the taxpayer remits no payment of the tax when the return is filled. On August 1, 1994 the taxpayer files an amended return reducing tax liability to \$400 and amended return is correct, the taxpayer owes a late payment penalty on \$400, the amount required to be shown on the original for periods of one year or less, has tax due under the Automobile Renting Occupation and Use also semits \$400. Assuming that the \$400 amount shown on the return, not the \$500 amount that was shown on the original Tax for the rental receipts received during the month of EXAMPLE: A rentor of automobiles return.

Elet If both a subsection (b)(1) penalty and a subsection (b)(2)penalty are assessed against the same return, the subsection (b)(2) found to penalty shall be assessed against only the additional tax be due. (Section 3-3(e) of the Act)

EXAMPLE: A withholding tax agent has tax due for the third quarter of 1994. The return is filed timely, with tax penalty Full payment of tax is withheld of \$20,000, but on time payments only equal \$15,000 1, 1997, an audit is payment minus the original made on March 15, 1995. On October 1, 1997, an a completed increasing tax to \$30,000. Additional late leaving a tax balance due of \$5,000. The late payment \$1500 late equals \$10,000 tax due times 15% equals applicable on November 1, 1994 is \$750. (\$30,000 18 \$1500 penalty

the Department shall determine the correct cax according to its best judgment and facie evidence of the penalty). The total late payment penalty is \$2250. the taxpayer has failed to file the return, information, which amount shall be prima 37 +3(E

h)9) The time within which to file a rerurn or pay an amount of tax due without imposition of a penalty does not extend the time within which to file a protest to a notice of tax liability or a notice correctness of the tax due. (Section 3-3(f) of the Act) of deficiency. (Section 3-3(g) of the Act)

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effective

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

- of State Police Merit Heading of the Part: Procedures of the Department
- Code Ciration: 80 Ill. Adm. Code 150
- Section Numbers:
- Proposed Action: Amendment
- A Complete Description of the Subjects and Issues Involved: ()
- by the Illinous State Police. The Merit Board will now administer this testing along with the rest of the applicant selection process with the Section 150.220 - Polygraphy testing on applicants has previously been done exception of the medical examination which is now being administered by the Illinois State Police.
- Will this rulemaking replace any emergency rulemaking currently in effect

Illinois Register Citation 2 Ill. Reg. 8062 Proposed Action Section Numbers

- Does this rulemaking contain an automatic repeal date?
- Does this rulemaking contain incorporations by reference? No
- 10) Statement of Statewide Policy Objectives: This amendment does not create or Are there any other proposed rulemakings pending on this Part? No

expand a State Mandare as defined in Section 3(b) of the State Mandates Act

[30 ILCS 805,3(b)]

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Mr. James Z. Seiber, Executive Director Department of State Police Merit Board Springfield, Illinois 62703 3180 Adloff Lane, Suite 100 217/786-5243 within 45 days after this issue of the Illinois Register.

Initial Regulatory Elexibility Analysis: The Department of State Police Merit Board has determined that this rulemaking will not affect small businesses.

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

13) Requistory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was unanticipated at the time of the two most recent regulatory

The full text of the Proposed Amendment begins on the next page:

WOTICE OF PROPOSED AMENDMENT

CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES SUBTILLE A: MERIT EMPLOYMENT SYSTEMS

PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD PART 150

SUBPART A: DEFINITIONS

Definitions

Section 150.10

SUBPART B: CERTIFICATION FOR APPOINTMENT

Selection Procedures Oualifications 150.220

Probationary Period Recertification

SUBPART C: CLASSIFICATION OF RANKS

Interdivisional Transfers 150.310 SUBPART D: CERTIFICATION FOR PROMOTION

Soard Responsibilities

Eligibility

150.410 150.420 150.430 150.440

Promotion Probationary Period (Repealed) Procedures

SUBPART E: DISCIPLINARY ACTION

Form and Content of Petition for Review Discipline Afforded the Deputy Director Notification to Suspended Officer Merit Board Jurisdiction Petition for Review 150.510 150.520 150.530 150.540 150.550 150.550 150.560 150.565

Procedure for Processing Petition for Review Discipline Afforded the Director Filing Procedures Director's Review

Scheduling the Rearing Complaint Procedures

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DEPARTMENT OF STATE POLICE MERIT BOARD

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Notification to Officer

150.590

SUBPART F: HEARINGS

Hearing Officer Board Docket 150.610

Pre-hearing Conferences Motions 150.620 150.630 150.640

Request for Witnesses or Documents Evidence Depositions Subpoenas 150.655

Hearing Procedures 150.660 150.665

Continuances and Extensions of Time Decisions of the Board Computation of Time 150,680

Physical Fitness Standards Vision Standards APPENDIX B

Service and Form of Papers

150.685

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 the State Police Act [20 ILCS 2610/3 through 14].

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181 Neg - 17. p. 65. effective Pebrang L11. 1939 cheergemon annoment at Ill. Res - 17. p. 65. effective Pebrang 11. 1930, for a maximum of 150 days; amended to 5. p. 284. effective Pebrang 11. 1930, for a maximum of 150 days; amended effective Reserve Angel 21.39. effective Reserve Angel 21. 1939; codified at 7 Ill. Resp. 3000; amended at 7 Ill. Resp. 10554, Il. Reg. Si., 1979, for a maximum of 150 days, emergeory amendments it 2 III. Reg. Si., p. 100. effective December 77, 1978, for a maximum of 150 days; adopted at 2 III. Reg. S., p. 422, effective December 25, 1978; amended at 9 effective June 13, 1988; amended at 13 III. Reg. 5701, effective April 3, 1989; emergency amendments at 13 III. Reg. 5607, effective Sperebor 29, 1989, Eor a maximum of 150 days; amended at 13 III. Reg. 1567, effective E Smergency rule adopted at 2 ill. Reg. 10, p. 206, effective Pebruary 14, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 32, p. 15018, effective November 2, 1983; emergency amendment at 9 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; smergency amendment at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days: amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. Ill. Reg. 14328, effective Soard to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 III. Reg. 3283; amended at 10 III. Reg. 1760, effective October 1, 1986; amended at 11 III. Reg. 7760, effective April 4, 1987; amended at 11 Ill. Reg. 18303, effective October 36, 1987; amended at September 6, 1985; recodified from the Department of Law Enforcement .2 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 1985; amended at 9 3721, effective March 13,

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF PROPOSED AMENDMENT

10, 1993; expedited correction at 17 III. Reg. 14684, effective June 10, 1993; amended at 17 III. Reg. 21079, effective November 22, 1993; amended at 19 III. Reg. 6679, effective May 1, 1995; amended at 19 III. Reg. 1970, effective June 1, 1995; amended at 20 III. Reg. 404, effective December 22, 1995, emergency amendment at 20 Ill. Reg. 8062, effective June 4, 1996, for a maximum of 150 , effective days; amended at 20 Ill. Reg.

SUBPART B: CERTIFICATION FOR APPOINTMENT

Selection Procedures Section 150.220

- Procedures shall consist of: Application (B)
- Written Entrance Examination Physical Ability Test
 - Oral Interview
 - Background Investigation
- Preference shall be given to all persons who have honorably served in Polygraph Testing Medical-Bramination Psychological Screening (q

effective the Military or Naval Services of the United States. Reg. Amended (Source:

ILLINOIS REGISTER

NOTICE OF ADOPTED AMENDMENTS DEPARTMENT OF AGING

Heading of the Part: Community Care Program

- Code Citation: 89 Ill. Adm. Code 240
- Adopted Action: Amendment Section Numbers:
- 20 ILCS 105/4.01 (11) and 5.02. Effective Date of Amendment(s): July 1, 1996 Statutory Authority:
- Does this rulemaking contain an automatic repeal date?
- Yes Does this amendment contain incorporations by reference?
- Notice of Proposal Published in Illinois Register: February 16, 1996; 20 Ill. Req. 2627

July 1, 1996

Date Filed in Agency's Principal Office:

Has JCAR issued a Statement of Objections to this amendment(s)?

Difference(s) between proposal and final version:

editorial changes were also made in response to staff comment. Changes were made as a result of the significant public

Subsection b), reinstated previously deleted language with additional Subsection a), clarification added for "nursing facility".

The following reflects the more substantive changes.

additional Subsection c), reinstated previously deleted language with edits. Subsection e), changed from subsection d) and revised the listed items for advisement from four to two.

Subsection f), changed from subsection e) and reinstated some previously deleted language with additional edits.

Added entirely new subsections g), h) and i).

Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes 12)

DEPARTMENT OF AGING

NOTICE OF ADOPTED AMENDMENTS

Will this amendment replace an emergency amendment currently in effect? No

Illinois Register Citation Proposed Action Section Number

Are there any proposed amendments pending on this Part? Yes

14)

April 5, 1996 (20 Ill. Reg. 53 April 5, 1996 (20 Ill. Reg. 51 May 17, 1996 (20 Ill. Reg. 66 May 17, 1996 (20 Ill. Reg. 66 May 17, 1996 (20 Ill. Reg. 66 Smergency Amendment Amendment Amendment Amendment 240.1950 40.810 240.810 40.230 240.870

6613) 6613) 5104)

Summary and Purpose of Amendment(s): 15)

The purpose of this rulemaking is to implement Public Act 89-0021 which mandates the Illinois Department on Aging screen all nursing facility applicants 60 years of age or older through the Community Care Program, regardless of the type of payment.

applicants with counseling and referral on alternative services and continue to allow them to retain the right to cnoose nursing facility Universal nursing facility prescreening will provide all nursing facility admission even if they fail the determination of need screen and nursing applicants with counseling and referral facility care is not recommended. information and questions regarding this adopted amendment shall be directed to: 16)

Ms. Pamela W. Balmer, Assistant Illinois Department on Aging 421 East Capitol Avenue #100 Springfleid, IL 62701-1789 Office of General Counsel

The full text of the Adopted Amendment(s) begins on the next page:

217) 785-3346

NOTICE OF ADOPTED AMENDMENTS DEPARTMENT OF AGING

CHAPTER II: DEPARTMENT ON AGING TITLE 89: SOCIAL SERVICES

PART 240

COMMUNITY CARE PROGRAM

STREAM PROVISIONS

Community Care Program Department Prerogative Services Provided 240.120 140.100 240.110

Completed Applications Prior to August 1, 1982 (Repealed) Maintenance of Effort Program Limitations Definitions 240.130 240.140 240.150

SUBPART B: SERVICE DEFINITIONS

Chore-Housekeeping Service (Repealed) Adult Day Care Service Homemaker Service 240.220 Section 240.210 240.230

Demonstration/Research Projects Information and Referral 240.240

Case Management Service Alternative Provider 240.260 240.250

Individual Provider

SUBPART C: RIGHTS AND RESPONSIBILITIES

Applicant/Client Rights and Responsibilities

Section. 240.300

Confidentiality/Safequarding of Case Information Applicant/Client/Authorized Representative Cooperation Nondiscrimination Freedom of Choice Right to Apply 240.340 240.310 240.320 240,330

Voluntary Repayment Reporting Changes

240.350

SUBPART D: APPEALS

When the Appeal May Be Filed Appeals and Fair Hearings What May Be Appealed Representation 240.405 240.410 240.415 240.400

Section

DEPARTMENT OF AGING

NOTICE OF ADOPTED AMENDMENTS

Group Appeals	Informal Review	Informal Review Findings	an	Examining Department Records		The Hearing	Conduct of Hearing	ance of th	
240.420	240.425	240.430	240.435	240,440	240.445	240.450	240.451	240.455	

Recommendations of Mearing Officer Dismissal Due to Non-Appearance Resoneduling the Appeal Hearing Postponement 240.485 240.485 240.460 240.465

Reviewing the Official Report of the Hearing The Appeal Decision

SUBPART E: APPLICATION

Application for Community Care Program Who May Make Application Section 240.520

Statement to be Included on Application Date of Application

240.540

SUBPART F: ELIGIBILITY

Determination of Eligibility Eligibility Requirements Establishing Eligibility Continuous Eligibility Eligibility Decision Home Visit 240.620 240.655 240.640 240.550 Section

Frequency of Redeterminations Extension of Time Limit

SUBPART G: NON-FINANCIAL REQUIREMENTS

Determination of Need Clients Prior to Effective Date of this Section (Repealed) Clients After Effective Date of this Section (Repealed) Minimum Score Requirements 240.715 240.720 240.725 240.726 240.710

Maximum Payment Levels for Service Maximum Payment Levels for Adult Day Care Service Emergency Budget Act Reduction (Repealed)

Plan of Care

ILLINOIS REGISTER

DEPARTMENT OF AGING

NOTICE OF ADOPTED AMENDMENTS

Supplemental Information Assessment of Need Citizenship Residence 240.750

Furnishing of Social Security Number

SUBPART H: FINANCIAL REQUIREMENTS

Determination of Applicant/Client Monthly Expense for Care Potential Retirement, Disability and Other Benefits Application For Medical Assistance (Medicaid) Applicant/Client Excense for Care Unearned Income Exemptions Monthly Average Income Client Responsibility Financial Factors Change in Income Asset Transfers Exempt Assets Sarned Income Encome Family 240.820 240,825 140.835 240.860 240.865 240,830 240.840 240.845 40.850 140.855 240.875

SUBPART I: DISPOSITION OF DETERMINATION

Prohibition of Institutionalized Individuals From Receiving Community SUBPART J: SPECIAL SERVICES Frequency of Redeterminations (Renumbered) Discontinuance of Services to Clients Reasons for Termination Reasons for Reduction or Change Suspension of Services Care Program Services Written Notification Reasons for Denial Service Provision Penalty Payments Notification 240.910 240,935 240.940 240,930 240.945 240.950 10.955

Nursing Facility Screening Home-Prescreening Temporary Service Increase Intense Service Provision Interim Services 240.1020 240.1040 240.1050 Section

NOTICE OF ADOPTED AMENDMENTS DEPARTMENT OF AGING

SUBPART K: TRANSFERS

	in	i.	uo.		o
		Individual Transfer Request - Vendor to Vendor - With Change in Service	Individual Transfers - Case Coordination Unit to Case Coordination Unit		140.1160 Temporary Transfers - Case Coordination Unit to Case Coordination
	Individual Transfer Request - Vendor to Vendor - No Change Service	Ch	ord		ord
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200	240	240	240	40	40

ADMINISTRATIVE SERVICE CONTRACT SUBPART L:

Caseload Transfer - Vendor to Vendor Caseload Transfer - Case Coordination Unit to Case Coordination Unit

Unit

240.1170

Contract	
Service	
Administrative Service Contract	
Section 240.1210	

SUBPART M: CASE COORDINATION UNITS AND VENDORS

Standard Contractual Requirements for Case Coordination Units Vendors	Vendor or Case Coordination Unit Fraud/Illegal or Criminal Acts					Suspension/Termination of a Vendor or Case Coordination Unit (C
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ŏ	ä	General Vendor and CCU Responsibilities (Repealed)			Safeguarding Case Information (Repealed)	r
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Section 240.1310	240.1320	240.1330	240.1396	240.1397	240.1398	139
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2,4	24	7	2	2.4	2.	240.1399

and

SUBPART N: CASE COORDINATION UNITS

Suspension/Termination of a Vendor or Case Coordination Unit (CCU)

			sibilities	and Case
	Standards		Case Management Starf Positions, Qualifications and Responsibilities	Training Requirements For Case Management Supervisors and Case
ement	tive Minimum	lities	Qualification	Management
n Case Manag	t Administra	t Responsibi	Positions,	s For Case
Community Care Program Case Management	Case Coordination Unit Administrative Minimum Standards	Case Coordination Unit Responsibilities	gement Starf	Requirement
Community	Case Coor	Case Coor	Case Mana	Training
Section 240.1400	240.1410	240.1420	240.1430	240.1440

SUBPART O: PROVIDERS

Section				
240.1510	Provider	Provider Administrative Minimum Standard	Minimum	Standard
240.1520	Provider	Provider Desnoneihilition		

S.

	Standar	
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	Provider Administrative Minimum S	
	Provider	a
ion	1510	000

ILLINOIS REGISTER

NOTICE OF ADOPTED AMENDMENTS DEPARTMENT OF AGING

240.1530 General Homemaker Staffing Requirements

and

SUBPART P: PROVIDER PROCUREMENT

Section	
	Provider Contract
240.1605	Procuring Provider Services
240.1610	Procurement Cycle for Provider Services
240.1620	Issuance of Provider Proposal and Guidelines
240.1625	Content of Provider Proposal and Guidelines
240.1630	Criteria for Number of Provider Contracts Awarded
240.1635	Evaluation of Provider Proposals
240.1640	Determination and Notification of Provider Awards
240.1645	Objection to Procurement Action Determination
240.1650	Classification of Provider Service Violations
240.1655	Method of Identification of Provider Service Violations
240.1660	Compliance Reviews of Contracted Provider Adencies
240.1661	Provider Right to Appeal
240.1665	Contract Actions for Pailure to Comply with Community Care D

CASE COORDINATION UNIT PROCUREMENT SUBPART Q:

rogram

Procurement Cycle For Case Management Services Case Coordination Unit Compliance Review	COMMITTEE
Manager	ADVISORY C
For Case Unit Con	SUBPART R: A
. Cycle	SUBPA
Procurement Cycle For Case Management Ser Case Coordination Unit Compliance Review	

240.1710

Section

Community Care Program (CCP) Advisory Committee Technical Rate Review Advisory Committee (Repealed) Section 240.1800 240.1850

SUBPART S: RATES

Section

DEPARTMENT OF AGING

SENSEMENTAL DESCRIPTION AMENDMENTS

1910	Establishment of Fixed Unit Rates		
	Contract Specific Variations		
1930	Fixed Unit Rate of Reimpursement for Homemaker Service		
1940	Fixed Unit Raies of Reimbursement for Adult Day Care	Service and	42
	Transportation		
1950	Adult Day Care Pixed Unit Reimbursement Bares		
1960	Case Management Prived Unit Jermhursenent Dates		

SUBPART I: FINANCIAL REPORTI

Section

		Service	
do.		Minimum Direct Service Worker Costs for Homemaker Service	
Financial Reporting of Homemaker Service	Unallowable Costs for Homeraker Service	Costs for	Serrices
f Homemak	Зопетаке	e Worker	Cost Categories for Homemaker Service
orting o	cets for	5 Servic	E TOT Se
cial Rep	cwable C	um Direc	Categori
			Cost
240.2320	240.2930	240,2940	240.2050

AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(1) of the Illinois Act on the Aging (20 ILCS 105-4.02 and 4.01(1)).

15, 1380; emergency nearcheris at 5 111. Reg. 1270; edfective Pabruary 15, 1281, 289, 12100), edfective Cocces 75, 1381, marcelery mencheris at 5 111. Reg. 1455, edective Dilg's Cocces 75, 1381, marcelery mencheris at 6 111. Reg. 1455, edective Dilg's 1982; for a marcelum of 150 days; menched at 6 111. Reg. 14503, edective Dilg's 2). 1979, for a maximum of 150 days; adopred at 4 ILL Reg. 17, p. 151, effective April 25, 1980; amended at 4 ILL Reg. 43, p. 86, effective October 29. 1928 asserted at 2 111. Not 10.00 to 10.00 t ló III. Reg. 1901, effective February 6, 1392, to expiré June 30, 1392, esergency amendentes at 16 iII. Reg. 10169, effective February 28, 1392, to expire June 30, 1992, parente du 30, 1992, parented at 16 III. Reg. III. December 1, 1982; amended at 7 III. Reg. 8697, effective July 20, 1983; codified at 8 III. Reg. 2533; amended at 9 III. Reg. 1739, effective January at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. effective February 1, 1991, for a maximum of 150 days; amended at 15 ill, Reg. 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days: emergency amendments ar 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; 16 Ill. Reg. 1744; emergency amendments on Administrative effective Pebruary 1, 1992, for a maximum of 150 days; emergency amendments at reinstated at 15 Ill. Reg. 2343; amended at 15 Ill. Reg. 18568, Reg. 19732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. i6 Ill. Req. Zmergency rules adopted at 4 211. Reg. 1, p. 67, effective modified in response to a suspension by the Joint Committee effective December 13, 1991; emergency amendments at 19351, effective July 1, 1991; emergency amendmenus an emergency amendments suspended at

ILLINOIS REGISTER

DEPARTMENT OF AGING MOTICE OF ADOPTED AMENDMENTS

SUBPART 3: SPECIAL SERVICES

JUL 1 1996

Section 240.1010 Nursing Facility Screening Home-Prescreening

- As Ministry and Associative Americans processes and associative and associativ
 - b) Personnering shall be accomplished by the individual of the Community of the Property of the Community of the Property of the Statistics of the Statistic

DEPARTMENT OF AGING

NOTICE OF ADOPTED AMENDMENTS

- imminent risk of nursing facility #6P--st-SNP placement of a when hospital discharge planners have advised the CCU of the patient who meers the above criteria and in advance of discharge of the parient: or
- CCU must complete a DPA-ICR form within two {2} work days from the imminent risk discharge from a hospital or facility #6P-st-SNP placement of an individual in the community. when a CCU has seen advised of the imminent risk of receipt of advice of
 - 中の一番を表示しませたとこのとのできない。 それのスートのチャーのアドーのアドーのからなってもならないののでもしてものできしていいのししな admission from the communicy. +P
- Responsibility for presordenings stall be rested in the OCUS.
 Mevers, OCUS and Melegate suchonity to perform prescreenings to
 hospital assembly planners, social vockers who have received regularly artend required ingoing training, and who, in the professional judgement of the CCU, are qualified and approved to Begannacht training by the Department (refer to Section 240,740), 上れたもだものが11の一日のの上もの一年の日とものは、それなられたのもなられてしませんかが、また一日のカー日のカートのカイストのになっている。
 - shall:y----be----beme----下面的自己一部的分的有力的一有电影中心电子电台的磁电影上的数三数位的分析上对电影上的对比下图的一图的的对象形成一句的一句的语言——他们都是的 paceanosard st our administer the CCP Determination of Need.
 - be informed, of all appropriate options including nursing facility, in-nome and community-based services; and 下面中的社会和中华工作社會一致中一日中国的自由一大小社会以及社会的一致的一句的自己一位社
- bg_advised_of_nis/ner_cont_to_refuse_nutsing_facility, in-home, community-based, or all services.
 Postscreening_snail_occur_tf_an_indvi/olal_is_admirred_to_a_nutsing
 - acility without benefit of prescreening. Postscreening may occur: たねガロリローA世日一切におけむをおりの - 4ののD
- nursing facility home placement in an emergency situation. They the COU snail conduct prescreaning within fafteen + 159 calendar days from the date of the request for postscreening 我也 人姓氏托拉伯姓氏语言 计中心数 atter
- for nursing factiony admissions from a hospital emergency room, 在外班通过通由一年的自己的年末一次由年刊的自己的自己,由在社工中的自己,现代并以及社工的工工工程的企会的社工工程的企 cutpat.ent services, or an out-of-state dospital.
- 明の一番を見れて多なか!他のも明との大きでした思いなななながらしかのです。一気が大井のニーのかととなりとなりとなりにないのかののな Partie - Bone - and the sand
- その――中国の名の――町のの第一―日の「トロの中でのなったりのかるの」―我のの「「我のの」―をおりことものなのなのでは「日のないなの」なり 中の別のは上旬にものはおの一のだかしのかしたの心のの表質の作り向かしのだらかとの心を
 - Nursing facility prescreening does not apply to the following: Transfers from one nursing facility to another. 6

ILLINOIS REGISTER

NOTICE OF ADOPTED AMENDMENTS DEPARTMENT OF AGING

- Admissions to a continuing care retirement community with which the individual has a bife Care contract.
- Returns to a nursing facility from a hospital. Admissions to a nursing facility from the community for respite
 - care for a period of no more than 15 days. Admissions to sheltered care facilities.
- Individuais who resided in a nursing facility on June 30, 1996. Individuals who resided in a nursing facility for a period of
- Asset of calendar asset asset one settinents on antesing facility
 after an asset of one has the facility calendar date.

 Any individual one has been seminated to a sustaining settliby that
 yoursels are made to be compared to a sustaining settliby that
 yoursels are made to be compared to the seminate and the seminate to the seminate and the compared to the seminate and the se IECS 3.351, whose actual length of stay in such facility exceeds 21 days, snall be screened to determine the individual's need 9
 - Noreing Sections connection accenting is the assessment of the gregorisations of introduced community-based are for nutsing Sections of sections and community-based are for nutsing Sections of the section of the section of the section of the eligible for Medicald assistance. continued services.
 - Conversion coreens shall be initiated by a referral from the Lilinous Department of Police at a Communication accordance with Convegator, screens shall be accomplished in accordance with
- Convessor screens shall be accomplished in accordance with descriptionalization (refer to Section 240.2861/g)). Conversion accepts shall include the option of COP transitional services for choose initialists and are appropriate for inchose
- effective 8995 Reg. 1 1996 (Source:

and community-based services.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Pay Plan
- 80 Ill. Adm. Code 310 Code Citation:
- Adopted Action: Amended 110.Appendix A, Table AA Section Number:
- Statutory Authority: Authorized by Section 8 and 8a of the Personnel Code [20 ILCS 415/8 and 9a]. 7
 - Effective Date of Rulemaking: June 26, 1996 2
- o N Does this rulemaking contain an automatic repeal date?
- Does this rulemaking contain incorporations by reference?
- Date Filed in Agency's Principal Office: June 26, 1996
- Notice of Proposal Published in Illinois Register: March 15, 1996, 20
- S. Has JCAR issued a Statement of Objections to these rules?

Difference(s) between proposal and final version:

JCAR been made as Have all the changes agreed upon by the agency and indicated in the agreement letter issued by JCAR? Yes

None

- Will this rulemaking replace an emergency rule currently in effect?
- Are there any unendments needing on this Darth

Section Numbers	Proposed Action	긥	inoi	Red	Ster	Illinois Register Citation	티	
310.50	Amended	20	111.	Reg.	5104	April	ŝ	1996
310.70	Amended	20	111.	Sed.	5104	-		1996
310.100	Amended	20	111.		5104	(April	'n	1936
310.110	Amended	2.0	111.		5104	(April		1996
310.280	Amended	2.0	111.		5204	April		966
310.480	Amended	2.0	111.		5104	(April	'n	1996
310.490	Amended	2.0	111.	Sed.	5104	April	'n	966
310.500	Amended	2.0	1111	Seg.	5104	April		1996
310.Appendix A,								
Table F	Amended	20	1111.	Sed.	5104	20 Til. Red. Sind (April 5, 1996)	ď	1996

Summary and Purpose of Rulemaking: In Section 310.Table AA, the Teamsters' Local NR-316 negotiated a new Professional/Technical salary 20 Ill. Reg. 5405 (April 12, 1996) Amended 15)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

schedule increasing the maximum of the ranges by 875 to 8170, effective July 1, 1995; and increasing the minimum of the ranges by 830 to 860, effective January 16, 1996, as shown below:

Class Title	Minimum	Minimum	Maximum Increased by
Cartographer III	2535	4535	\$155
Civil Engineer I	2470	3870	S.50
Civil Engineer II	2630	1390	\$130
Civil Engineer III	2900	4915	\$170
Civil Engineer Trainee	2315	3250	595
Engineering Technician I	1390	2585	\$75
Engineering Technician II	1695	3100	S 3 0
Engineering Technician III	2075	3695	\$110
Engineering Technician IV	2550	1795	\$165
Technical Manager I	1955	3485	\$105
			Minimum increased by

3870 4915 3250 2585 3100 3695 4795 2585 2520 2520 2585 2365 2365 11420 11730 2120 2120 2605 1995 Engineering Technician III Engineering Technician IV Engineering Technician II Engineering Technician I Civil Engineer Trainee Pechnical Manager I Civil Engineer III Civil Engineer II Cartographer III Civil Engineer I

this adopted amendment snall be Information and questions regarding directed to: 16)

Department of Central Management Services 504 William G. Stracton Building Division of Technical Services Springfield, IL 52706 (217) 782-5601

Mr Michael Murphy

The full text of the Adopted Amendment begins on the next page:

NOTICE OF ADOPTED AMENDMENTS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES POSITION CLASSIFICATIONS

PART 310

DAT DLAN

SUBPART A: NARRATIVE

Policy and Responsibilities Turisdiction Section 310.30

Conversion of Base Salary to Pay Period Units Pay Schedules Definitions 310.50 310.60 310.70 310.90

Conversion of Base Salary to Daily or Hourly Equivalents Increases in Pay Decreases in Pay

Implementation of Pay Plan Changes for Fiscal Tear 1996 Interpretation and Application of Pay Plan Other Pay Provisions Sffective Jate 310.100 310.100 310.120 310.130 310.140

Fiscal Tear 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

Reinstitution of Within Grade Salary Increases

SUBPART B: SCHEDULE OF RATES

Section

Part-Time Daily or Hourly Special Services Rate Prevailing Rate Negotiated Rate Introduction Hourly Rate 310.220 310.240 10,205

Jut-of-State or Foreign Service Rate Member, Patient and Inmate Rate Legislated and Contracted Rate Designated Rate Prainee Pate 310.270 110.260 10.290

Annual Compensation Ranges for Executive Executive Director, State Board of Elections Educator Schedule for RC-363 and ER-010 Physician Specialist Rate 310,303

Excluded Classes Rate (Repealed)

10.330

Director and Assistant

SUBPART C: MERIT COMPENSATION SYSTEM

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Procedures for Determining Annual Merit Increases Merit Compensation Salary Schedule Responsibilities Jurisdiction Object ives 310.450 110,410 110.420 310.430 110.440

Intermittent Merit Increase Other Pay Increases Merit Zone Adjustment 310.456 310.460 110.455

Public Service Administrator Class Series Other Pay Provisions Decreases in Pay 310.470 310.495

Conversion of Base Salary to Pay Period Units Conversion of Base Salary to Dally or Hourly Equivalents Implementation Definitions 310.510 310.520 310.530

Fiscal Tear* .985 Pay Changes in Merit Compensation System, Annual Mer: Increase Guidenhart for Fiscal Tear 1996 July 1, 1984 (Repealed)

effective

HR-190 (Department of Central Management Services -Illinois Building - SEIU) Negotiated Rates of Pay æ

APPENDIX

TABLE A

State of

Department of Labor - Chicago, Illinois - SEIU) NR-916 (Department of Natural Resources, Teamsters) Teamsters Local #726) Teamsters Local #330) Firefighters, AFSCME) HR-200 RC-069 RC-020 HR-001 TABLE AA TABLE B TABLE D TABLE C

Institutional Smployees, AFSCME) Corrections Employees, AFSCME) (Automotive Mechanics, IFPE) Clerical Employees, AFSCME) Registered Nurses, INA) Teamsters Local #25) Bollermakers) RC-045 RC-006 RC-023 RC-008 RC-014 TABLE I TABLE F TABLE G TABLE H TABLE J TABLE K TABLE L

Paraprofessional Human Services Employees, AFSCME) and Residual Maintenance Workers, AFSCME) (Paraprofessional Investigatory Professional Legal Unit, AFSCME) Meat Inspectors, IPPE) Employees, IFPE) RC-028 RC-029 RC-033 RC-010 TABLE Q TABLE P TABLE N TABLE O

Conservation Police Lodge)

TABLE M

Law Enforcement

Teachers of Deaf, Extracurricular Paid Activities) Fair Smployment Practices Smployees, SZIU) (Corrections, Meet and Confer Employees) (Technical Employees, AFSCME) (Teachers of Deaf, IFT) CU-500 RC-062 HR-010 HR-010 HR-012 TABLE V TABLE S TABLE T TABLE U

NOTICE OF ADOPTED AMENDMENTS

X RC-063 (Professional Employees, APSCME)
Y RC-063 (Educacces, APSCME)
X RC-063 (Educacces, APSCME)
XX B Schedule of Salaary Grades - Monthly Rates of Pay for Fiscal

APPROXIC Medical Administrator Stees for Freal Year 1996
MRETE Compensation System Staty Schodule for Fiscal Year 1996
REPROX TO PREACH STATE STATEMENT STAT

MAPPENDIX G Public Service Administrator Class Series Salary Schedule (UTHORITY: Implementing and authorized by Sections 8 and 3a of the Personnel

Code [20 ILCS 415/8 and 8a].

mankium of 150 days exceptory memberer as 9111. Sep. 311. Sep. 415. Selective way 1
1985, for a maximum of 150 days memberer as 9111. Sep. 4510. Sefective Diney 7
1985, several as 9111. Sep. 1665, defective 0110. 1085; server as recovery amendment 8
2 9111. Rep. 18014, effective Seprember 34, 1285, for a maximum of 150 days; perespony mendment at 10.111. Rep. 1315, sefective Junuary 21, 1865, searched as 10.111. Rep. 1320, sefective Junuary 21, 1865, searched as a 10.111. Rep. 1320, sefective Junuary 14, 1285, secretary mendment at 10. Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment amendad at 8 III. Reg. 2440, effective Pebruary IS. 1984; emergency amendaent at 8 III. Reg. 2349, effective March 55, 1984; cor a maximum of 150 Mayes energency amendaents at 8 III. Reg. 1243, effective March 16, 1984, for a effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended ak 8 ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 ill. Reg. 21110, effective October 21, 1984; amended at 8 ill. Reg. 22544; 811. Reg. 2144, effective October 24, 1984; amended at 8 ill. Reg. 22544. effective November 14, 1984; emergency amendment at 9 Ill. Reg. 134, effective Jānuary 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, .985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a .0 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory at 8 Ill. Req. 1990, effective January 31, 1984, for a maximum of 150 days; emedgency amendment at 8 111. Reg. 4249, effective March 16, 1984, for a maximum of 150 days: emergency amendment at 3 111. Reg. 5704, effective April 16, 1984, for a maximum of 150 days, emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17755, effective Seprember 30, 1986, for a maximum of 150 days; peremptory amendment at 10 III. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. amendment at 10 Ill. Reg. 14967, effective August 26, 1986; amended at 10

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES NOTICE OF ADOPTED AMENIMANY

amenichen at 11. Nog 1766; effective December 1, 1997, for a maximum 51. September 1, 1997, for a maximum 51. September 1, 1997, generation at 11. September 1, 1987, generation at 12. September 1, effective July 29, 1987; amended at 11 111. Reg. 11984, effective August 27, 1987; peremptory amendment at 11 111. Reg. 15273, effective September 1, 1987; effective March 23, 1987; amended at 11 111. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July L, 1987, for a maximum of 150 days; peremptory amendment at 11 ill. Reg. 13675, peremptory amendment 11 111. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November :9, 1987; emergency effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 111. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 111. Reg. 9745, effective May 23, 1988; emergency amendment at 12 III. Rec. 11778, effective July 1, 1988, for a maximum of 153 days; emergency amendment at 12 amendment at 12 III. Reg. 13306, effective July 27, 1988; corrected at 12 III. Reg. 13359; amended at 12 III. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20149, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 3849, effective May emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, For a maximum of 150 days; emergency amendment expired on November 17, 1989; amended Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 111. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1889, amended at 13 [11], Reg. 16950, effective October 19, 1989, amended at 13 [1]. Reg. 19221, effective December 12, 1989; amended at 11 [1], Reg. 515, effective February 3, 1987; peremptory amendment at 11 111. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Req. 6291 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment a: 13 Ill. effective January 2, 1990; peremptory amendment at il Ill. Reg. 1627, effective bannary 11, 1990; amended at 11 111. Reg 75, effective "March 12, 1990; effective amended at 14 111. Reg 75, effective May 7, 1990; amended at 14 111. Reg 75, effective Tools, effective Jone 11, 12, 1390; amended at 14 111. Reg (eg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. amendment expired on February 8, 1991; corrected at 14 111. Reg. 16092; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. ARG-17189, effective October 19, 1390; amended at 14 III. Reg. 13719, effective Vovember 13, 1390; perceptory amendment at 11 III. Reg. 1854, (26ctive November 13, 1990; perceptory amendment at 15 III. Reg. 563. effective Innaary 7, 1991; amended at 15 III. Reg. 379, 1991; amended at 15 III. Reg. 379, 279, effective Forburgy Lu. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 peremptory amendment at 14 Ill. Reg. 17098, effective September 26, .5570, effective September 11, 1990, for a maximum

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

maniquum of 150 dayes aeroided as in III. Rep. 11409, effective July 29, 1931; escription of 250 days errorent as III. Nep. 11599, effective August 9, 1931 for a amaximum of 150 days errorent pareciment as III. III. Rep. 1466, effective August 66, 1930, or a maximum of 150 days mentide at III. Rep. 1710, Rep. 13103, effective October 55, 1933, emergency amendment at IV III. Rep. 1310, and 1310 D22514, effective December 15, 1939) amended at 18 111, Reg. 2727, effective amended at 18 111, Reg. 2151, effective March 21, 1949, percentive January 18, 1994, amended at 18 111, Reg. 215, effective March 21, 1994, per mandenne nr. 19 III. Rep. 515, effective Morten 11, 1995, mended at 19 III. Rep. 682, effective My 2, 1395 promptory mandenne tr. 20 III. Rep. 683, effective May 1, 1995 manded at 19 III. Rep. 1941, effective Dune 1, 1995 manded at 19 III. Rep. 205, effective Dune 15, 1995 manded at 19 III. Rep. 1996, effective Dune 27, 1935; mergancy amendment at 19 III. Rep. 1996, effective Dune 27, 1935; mergancy amendment at 19 III. Rep. 1959. effective August 21, 1991; amended at 15 ill. Reg. 14210, effective September 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a at 18 ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 3, 1394, for a maximum of 150 Jays; amendent amende at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment 17191, effective November 21, 1994; amended at 19 III. Reg. 1024, effective January 24, 1995; peremptory amendaent at 19 III. Reg. 2481, effective Rebruary .995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory Reg. 18103, effective October 12, 1995; anemoled at 19 111, Reg. 16160, effective Docember 20, 1995, mended at 20 111, Reg. 1089, effective Docember 20, 1995; amendegancy amendment at 20 111, Reg. 1060, effective Rebrarry 21, 1985, amendegancy amendment at 20 111, Reg. 1060, effective Rebrarry 21, 1985, amendegancy amendment at 20 111, Reg. 1060, effective Rebrarry 21, 1985, amendegancy amendment at 20 111, Reg. 1060, effective Rebrarry 21, 1060, effective Rebrarry 21, 1060, effective Representative Amendment at 20 111, Reg. 1060, effective Representative Amended Amen 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peramptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. seg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 III. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at i6 Ill. Req. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 3239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992; for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a naximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; persmptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 111. Reg. 530, effective January 4, 1993; amended at 17 111. Reg. 1819, effective April 9, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days: peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. effective August 1, 1995, for a maximum of 150 days; desemblory amendment at 19 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17 111. Reg. 13979, effective September 19, 1995; peremptory amendment at 19

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

1996, for a maximum of 180 days preventory associates at 20 111. Reg. 5134, effective April 22, 1996; peremptory associates at 20 111, ggg_{γ} 7,134, effective May 14, 1996 americal at 20 111. Reg. $9 \int 0.05$. effective May 14, 1996 americal at 20 111.

Section 310.APPENDIX A Negotiated Rates of Pag

Section 310.TABLE AA NR-916 (Department of Natural Resources, Teamsters)

	Effective:	July 1, 1995 June-227-1995
	Minimum	Maximum
	Salary	Salary
Cartographer III	2535	690.5
Civil Engineer I	2470	3870 9449
Engineer	2630	+
	2900	
Civil Engineer Trainee	2315	3250 9955
	1390	2585 2529
	1695	3100 90##
Engineering Technician III	2075	
Engineering Technician IV	2550	4795 4638
Technical Manager I	1955	
	Effective:	January 16, 1996
	Minimum	Maximum Salary
COULT BOUNDER III COULT BOUNDER II COULT BOUNDER III COULT BOUNDER III COULT BOUNDER III BOUNDER IO PREMICIAN III BOUNDER IO PREMICIAN III BOUNDER IO PREMICIAN III BOUNDER III BOUNDER III BOUNDER III BOUNDER IIII	2.585 2.685 2.685 2.980 2.385 1.420 2.220 2.220 2.605	1887 1887 1887 1887 1887 1887 1887 1887

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Standard Procurement
- Code Citation: 44 Ill. Adm. Code 1

3

- Adopted Action: New Section Numbers:
- Statutory Authority: Public Act 89-245 [30 ILCS 508/8.5] 3

Effective Date of Rulemaking: July 1, 1996

2)

- Does this rulemaking contain an automatic repeal date? (9
- Does this rulemaking contain incorporations by reference?
 - Date Filed in Agency's Principal Office: July 1, 1996 8)
- Notice of Proposal Published in Illinois Register: March 29, 1996, 20 Ill.
- 10) Has JCAR issued a Statement of Objections to these rules?
- Added statutory Difference(s) between proposal and final version: 11)

Several minor editing changes were made.

- Maye all the changes agreed upon by, the agency, and JCAR been nade as indicated in the agreement letter issued by JCAR? Yes (2)

13) Will this rulemaking replace an emergency rule currently in effect?

- 14) Are there any amendments pending on this Part? No
- Summary and Purpose of Rulemaking: This implements Public Act 89-125 which allows agencies to contract without having to use a competitive selection process with companies who employ individuals with severe physical or mental disabilities and who also provide them with assistance performing their jobs. 15)

effective

9006

Red.

(Source: Amended

16) Information and questions regarding this adopted amendment shall be directed to:

720 Stratton Office Building Springfield, Illinois 62706 (217) 782-9669 TDD (217) 785-3979 Stephen W. Seiple

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendment begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES NOTICE OF ADOPTED AMENDMENTS

PROPERTY MANAGEMENT
SUBTITLE A: PROCUREMENT AND CONTRACT PROVISIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND

STANDARD PROCUREMENT PART 1

SUBPART A: GENERAL

Applicability Definitions Authority Policy

1.100

Section

SUBPART B: APPROVAL OF PROCUREMENT RULES

Approval Required When Approved Section 1.200

Non-Standard Form of Rules Standard Form of Rules Filing of Rules 1.210 1.220 1.230 1.240 1.250

Length of Approval

SUBPART C: PROCUREMENT RESPONSIBILITY

Department of Central Management Services Department of Transportation General Section 1.300 1.320 1.320 1.330 1.350

Procuring Agency Responsibility Delegation of Procurement Authority Capital Development Scard

SUBPART D: SOURCES OF SUPPLY

Open Source of Supply Special Sources

Section

1.400 1.410

Directed Source

SUBPART E: METHODS OF PROCUREMENT

General Section 1.500

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

	t and Procedure		s Allowing Negoti	P		
Competition Encouraged	Competitive Procurement	Source Selection	Statutory Circumstances	Negotiation After Award	Multiple Awards	Pre-Emption
1.510	1.515	1.520	1.530	1.540	1.550	1.560

ation

SUBPART F: PUBLICIZING PROCUREMENT ACTIONS

Official State Newspaper Advertising Required Re-Advertisement Direct Solicitation 1.600 1.620

Section

INVITATIONS FOR BID AND RESPONSE SUBPART G:

Contents of Invitations for Bids Time and Place to Supmit Bids Suomission of Bids Bid List Section . 700 1.710 1.720 1.730 1.740 1.750

Change or Withdrawal of Bid Submission Binding Bid Reservations

SUBPART H: RESPONSIBILITY OF BIDDER

Determination by Procuring Agency Proof of Responsibility Standards of Responsibility Bidder Must be Responsible New Bidders 1.810 1.820 1.820 1.830

SUBPART I: BID AND PERFORMANCE SECURITY

When Allowed or Required Subsequent Requirement Security Required Form of Security Annual Security Amount 006. 1.910 1.940

Section

Return of Security

SUBPART J: SPECIFICATIONS AND SAMPLES

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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NOTICE OF ADOPTED AMENDMENTS

Section

pecification	Reference Specifications Brand Name or Equal	roven Produc	cate Require	epresentative Sam	for Sample	4.1
1.1000	1.1020	1.1030	1.1040	1.1050	1.1060	1.1070

SUBPART K: AWARD OF CONTRACT

Section	
1.1100	Bid Opening
1.1110	Recording
1.1120	Award

								Bids			
								-75			
Pittotoon	Award	Alternate Bids	Supplementary Orders	Delay in Award	Cancellation of invitation	Notice of Cancellation	Rejection of Individual Bids	Minor Informalities or Irregularities	Award	Binding Contract	
01111	1.1120	1.1130	1,1140	1.1150	1.1160	1.1170	1.1180	1.1190	1.1200	1.1210	

SUBPART L: MISTAKES IN BIDS

Apparent Clerical Mistake	istakes Discl	re of Mistakes After A	M Buisse	Procedural Error by State	
1.1310	1.1320	1.1330	1.1340	1.1350	

General

Section

1.1300

ward

Transactions
91
Conditions
and
Terms

SUBPART M: CONTRACT TERMS

Terms	and	Conditions	9	Transactions	
Amendments	Then				

1.1400

SUBPART N: CONTRACT PERIOD AND FISCAL FUNDING

	Years	Š
acting	ū	acinetio.
Contrac	ä	
Year	10	Pund
Fiscal		Figure Sunding
200	210	520

Section

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS Notice of Failure of Funding Preference in Funding

SUBPART O: CONTRACT PRICING AND FINANCING

Maximum Price for Printing Allowable Price Structure Contract Financing All Costs Included Firm Pricing 1.1600 1.1610 1.1620 1.1630 1.1640

Section

Prevailing Wage Required

SUBPART P: PERFORMANCE

Full Compliance Deliveries Section 1700 .1710

Assignments by Successful Bidder Submission of Invoice Vouchers Inspection .1720 1.1730

VENDOR COMPLAINTS SUBPART Q:

Performance Monitoring

Section 1.1800

Prompt Action Essential Complaints to be Filed Grounds for Complaint Written Complaint 1.1820 1.1840

Initial Complaint

SUBPART R: TERMINATION OR RESCISSION OF CONTRACT BY STATE Action by Receiving Agency

Cancellation for Fraud, Collusion, Illegality, Etc. Withholding Monies to Compensate State for Damages Cancellation for Breach of Contract Damages 1.1920 1.1900

SUBPART S: SUSPENSION AND DEBARMENT

Causes for Suspension Terms of Suspension Suspension 1.2000

Section

1.2020 1.2010

Debarment

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS Ineligible List

1.2040

SUBPART T: PROTEST OR OBJECTIONS

Time and Place for Protest or Objections Suspension of Award Evaluation of Protest or Objection Additional Administrative Remedies General Section. 1.2130 ..2120 .2100

SUBPART U: SOCIOECONOMIC PROGRAMS

Section

Criteria for Small Business (Recodified) Sheltered Workshops for the Disabled Minority and Female-Owned Business Required Use (Recodified) Small Business General .2225 .2200 .2210 .2215 .2220 .2230

Small Construction Business Advance Payment Set-Aside (Repealed) Procurement from Vendors with Supported Employees Withdrawal of Set-Aside (Recodified) 1.2240

SUBPART V: JOINT PROCUREMENT AGREEMENTS

State Use of Other Contracts General

Section

1.2300

Obligations of Participating Governmental Units Centralized Contracts - Estimated Quantities Use of State Contracts No Agency Relationship 1.2350 1,2320 1.2330 1.2340

SUBBART W: MISCELLANEOUS

Centralized Contracts - Definite Quantities

Government Furnished Property Attempt to Influence Award Inspection and Audits No Rights Conferred Collusive Bids Identical Bids 1.2400 1.2440 1.2410 1.2420 1.2430

Proprietary Information Severability ..2460 1.2450 1.2470

AUTHORITY: Implementing and authorized by the Illinois Purchasing Act [30 ILCS

NOTICE OF ADOPTED AMENDMENTS

505); the State Paper Purchasing Act [30 ILCS 510]; State Printing Contracts Act [30 ILCS 515]; the Minority and Pemale Business Enterprise Act [30 ILCS

| 111. Reg. 1.1817. | Catentive Occuper 1, 1987, assended at 1.11. Reg. 1984, defective Occuper 12, 1989, confidence at 8 111. Reg. 1981, Sections 1,2220, 1,220, 1,2240, recolficed at 8 111. Reg. 1811, Sections 1,2210 at 8 111. Reg. 1817, defective Amenda at 10 111. Reg. 1817, defective Amenda at 10 111. Reg. 1817, defective Amenda at 10 111. Reg. 1817, sections 111. Reg. 1817, sections 111. Reg. 1817, sections 1817, secti al 13 111. Reg. 17804, effective November 7, 1983, emergency immendants ar 16 111. Reg. 13118, effective August 7, 1932, for a maximum of 150 days; amended at 17 111. Reg. 600, effective January 5, 1933, amended Dill. Reg. 14576, effective August 27, 1993, amended as 20 111. Reg. 50 15 Adopted at 7 Ill. Reg. 100, effective December 17, 1982; amended at

1000

Section 1.2235 Procurement from Vendors with Supported Employees

SUBPART U: SOCIOECONOMIC PROGRAMS

(SEV) without having to seek competitive bids and may award to a SEV in a competitive producement even if the SEV is not the low bidder in qualified vendor with an approved supported employment workforce" Authority. State agencies may procure goods and services from requirements. accordance with the following G

Procurements may be made from only those vendors on the SEV list maintained by the Department of Central Management Services Requirements to Exercise Authority

a SEV, and CMS must approve such action before a producement is begun or content a managed. THE small approve provided such action is in conformation with the Illinois Furcessing Act 10 ILCS 5051, State Paper Purchasing Act 10 ILCS 5501, State For goods or services under the procurement jurisdiction of CMS, turned in those detected by CMS, procuring agencies shall motify CMS,Bureau of support services of their intent to utilize

PEARING CORRECTS ACT 33 ICGS 515) and Standard Procurement against 41 111, ada, Coda 11, ada, Coda A fair market price will be determined by reference to past not the lowest responsible oidder meeting specifications, Committee that the price is a fair market price. he procuring agency must obtain approval neux

procuring agency (each of which must be

available to the

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

submitted to the State Use Committee), and the policy to promote SEVs as found in Section 8.5 of the Illinois Purchasing Act (30 necessarily the A fair market price is not lowest price that may be available.

SEVs must comply with Illinois laws governing private for-profit Requirements of SEVs enterprises. 5

SEVS must certify that no less than 54, nor more than 20%, of all employed individuals meet the definition of supported employees as such by the Illinois Department or Rehabilitation Services (DORS). and are approved

Certification shall be made, prior to any contract under these provisions, snowing the rotal number of employees and

shall provide quarterly reports in the manner and format required by the State Use Committee.
The percent of all employees that are supported employees the numbers of all actively employed supported employees. On an ongoing basis, each SEV with an approved

The number of supported employees divided by the total calculated in one of two ways: can be Û

non-administrative positions divided by the total employees supported of smbicyees, number

of calculation shall be noted on the A SEV must provide necessary supports to its supported employees. all employees in non-administrative positions. certification to be submitted. merhod

3

Necessary supports are defined as those supports which are identified by DORS as required to enable that employee to The program of necessary supports which has been identified continue and maintain employment. **a**

State Use Division by DORS must be documented and available for review, verification, and/or audit under the conditions of the Freedom of Information Act, at any time for any reason.

A SEV must provide its supported employees with an integrated An integrated work setting is one in which no recreational space exists for, or emplovees. encouraged to be used by, supported segretated work or setting. 4 3

SEVS must assure that at least 50% of the work exercise the produce the soos and services to be sold to the State is produce the soos and services to be sold to the State is of work expended on a State contract must be explained in detail on the Certification, and may be calculated in one the following ways:

of hours expended on the State contract by surjorted employees must equal at least 50% of all hours The percent expended, or

NOTICE OF ADOPTED AMENDMENTS

- at least 50% of all pieces produced on the State percent of gleces produced by supported employees must 6
- The percent of wares including all benefits; paid to supported employees must equal at least 50% of all wayes (including benefits) paid to all employees engaged in the state contract. ପ
 - SEVS must assure that personal interactions of a supported employment worker in, or associated with the workplace are with must certify that a workplace is provided which is conducive to integration of interpersonal relations between supported and employees of the worvelage who are not necessarily supported employees. Any contractor, who obtains a contract under this law non-supported employees.
- SEVs must have a completed Bidders Application Form on file with
- the Department of Operal Management Services. SEVs must report to CMS any contract with State Agencies on a quarterly basis.
- On-site inspection by appropriate personnel, and/or audit of production and personnel records specific to a contract which might verification, Requirements of these rules are subject to monitoring, F
- effective Reg. 111. be obtained under the Act. at (Source: Added

1996

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

The Travel Regulation Council Heading of the Part:

7

5)

33

- 80 Ill. Adm. Code 3000 Code Citation:
- Adopted Action: Section Numbers:
- 12,12-2 and Statutory Authority: Implementing and authorized by Sections 12-3 of the State Finance Act [30 ILCS 105/12, 12-2 and 12-3] 7
- July 1, 1996 Effective Date of Rulemaking:

6

- Does this rulemaking contain an automatic repeal date? (9
- Does this rulemaking contain incorporations by reference?
 - Date Filed in Agency's Principal Office: July 1, 1996 8
- Notice of Proposal Published in Illinois Register: March 29, 1996, 20 Ill. 6
 - 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: Corrected statutory citation.
- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary. 12)
- ô 13) Will this rulemaking replace an emergency rule currently in effect?
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Paroces of Sudemaking: The amendment to Section 3000.300(q) regarding mileage reimbursement for the use of persons according to the use to the companies of the the current federal rate for this type of expense.
- 16) Information and questions regarding these adopted amendments shall be directed to:

720 Stratton Office Building Springfield, Illinois 62706 TDD (217) 785-3979 Stephen W. Seiple (217) 782-9669

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

The full text of the Adopted Amendment begins on the next jage:

NOTICE OF ADOPTED AMENDMENTS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES SUBTITLE I: GENERAL TRAVEL CONTROL CHAPTER IV: TRAVEL REGULATION COUNCIL NOTICE OF ADOPTED AMENDMENTS

THE TRAVEL REGULATION COUNCIL PART 3000

SUBPART A: GENERAL

Scope and Interpretation

Definitions Philosophy Authority

Policy

3000.100 3000.110 3000.120 3000.130

Section

SUBPART B: TRAVEL CONTROL SISTEM

Preparation and Submission of Vouchers or Travel Expenses Travel Control System
Designation of Headquarters
Expenses at Headquarters or Residence Section 3000.200 3000.210 3000.220

TRANSPORTATION SUBPART C:

SUBPART D: LODGING

Modes of Transportation

Routing

3000.300

Section

Least Costly Lodging Conference Lodging Lodging Allowances 3000.410

Section

Employee Owned or Controlled Housing

SUBPART 2: PER DIEM-MEALS

Per Diem Allowance Meal Allowance Section 3000.500 3000.510 SUBPART F: MISCELLANEOUS RULES

Reimbursable and Non-Reimbursable Expenses Section 3000.600

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Expenses Related to Transportation Meals for Other Persons Receipts Required

SUBPART G: EXCEPTIONS

Exceptions to the Rules Section 3000.700

Non-Required Travel Board-Agency Rules

Reimbursement Schedule

ō AUTHORITY: Implementing and authorized by Sections 12, 12-2 and 12-3 State Finance Act [30 ILCS 105/12, 12-2 and 12-3].

for a maximum of 150 days; adopted at 10 Ill. Reg. 18188, effective January 1, 1987; peremptory amendment at 11 111. Reg. 14854, effective August 25, 1987; ammended at 12 III. Reg. 11626, effective July 1, 1988; amended at 14 III. Reg. 10014, effective July 1, 1990; amended at 19 III. Reg. 7852, effective July 1, SOURCE: Emergency rules adopted at 10 Ill. Reg. 12697, effective July 2, 1986,

SUBPART C: TRANSPORTATION _, effective ____ JUL_ 1-1998

Section 3000.300 Modes of Transportation

All travel shall be by the most economical mode of transportation considering travel time, costs, and work requirements. automobiles, railroads, airlines, buses, taxicabs, and other usual transportation authorized for official travel available Modes of

means of conveyance.

- Vehicle Rules (44 Ill. Adm. Code 5040) issued by the Department of Central Management Services shall govern use of State-owned vehicles. covering service and repairs of these vehicles State vehicles may be used when most economical. When applicable, Agency rules further defining use of vehicles may also apply. are to be found in the glove compartment of each vehicle. Specific instructions (q
- Arrangements on airplanes, trains, or boats shall be the least costly reasonably available alternative.

Chartered aircraft, boats, trains, buses, or other such conveyance,

- shall be used only as a last resort or if proven to be most aconomical for the circumstances. A full explanation for the use of such transportation must accompany the youcher. (0
- The rental of an automobile while on travel status is allowed, if circumstances require. The most economical vehicle available that is suitable for the State's business shall be obtained. The collision

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

STUTION OF ADOPTED AMENDMENTS

lamage walver and personal accident insurance on rented vehicles are Privately owned vehicles may be used when authorized by appropriate not reimbursable. agency personnel.

Section 10-101(b) of the Illinois Vehicle Code [625 ILCS 5/10-101(b)]. Prior to such authorization the Agency Head shall require employees to file a statement certifying that they are duly licensed and carry at least the minimum insurance coverage insurance coverage in an amount not less than that required by Employees using private vehicles on State business must

or shall require such certification to be noted on the travel

- Reimbursement for use of a private vehicle shall be on a mileage basis and shall be in accordance with the rate promulgated pursuant to 5 U.S.C. 5707(b)(2) and is snown in Appendix A, Reimbursement Schedule. However, in the event the rate set under federal regulations changes during the course of the State's fiscal year, the effective date of the new rate shall be the July voucher. 2)
- Agency Heads may authorize the use of privately owned aircraft on 0.000 本本語をなって一番の場上ののないとしてあれないが、そののなってものできなる。からのはなく一見るのはっしていなののこののなけを持たのななからの 小 电子线 1917年,1918年 immediately following the change in the federal rate. State business. You chery 6
- be duly licensed by the appropriate licensing body for the agartecular algorate to be flown, shall carry instrance in at least the amount of \$500,000 combined single limit, and shall certify in so the Adensy Bead, Such ocetification shall be certify ins. 1) Employees using privately owned arroraft on State business shall available for review and shall be noted on the travel voucher.
 - Reimbursement for the use of orivately pwined aircraft may be set by the individual bands, but is fail no exceed the rate set by the individual bands, but is fail no exceed the rate set by the Federal Government pursuant to 5 ° 3.5.C. 570 [[b] [2]. 21

Reg. JUL 1 1996 34 (Source: Amended

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Client Service Planning
- 2) Code Citation: 89 Ill. Adm. Code 305
 - 3) Section Numbers: Adopted
- on Numbers: Adopted Action:
 Adopt
 Repeal
- 4) Statutory Authority: 20 ILCS 505
- 5) Effective Date of Amendments: July 5, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference?
- 8) Date Filed in Agency's Principal Office: July 5, 1996
- 9) Notice of Proposal Published in Illinois Register: 19 Ill. Reg. 8821, July 7, 1995
- 10) Has JCAR issued a Statement of Objections to these rule(s)? No
- Olfference between proposal and final version: With the exception of delifting and formakting orderections angested by the Joint Committee on Administrative Rules, no changes see ande.
- 12) Have all the changes squeed upon by the agency and JCAR been made a indicated in the agreement letter issued by JCAR? Yes
- 13) Will these proposed amendments replace an emergency rule currently in
- 14) Are there any amendments pending on this Part? No
- 9) Symmetry and Displaces of Three abordance Anniquences. These amendments Visitation Services in Defense to 9 111. Adm. Odd 301, Placement and Visitation Services, Implement to 6 1511. Adm. Odd 301, Placement and Visitation Services, Implement to Anticotor 10 Consent Decree which requires the Department, whenever placement of children is necessary, to place sublings together whenever placement of children is necessary, to place sublings together whenever possible, when it is not possible to place sublings together whenever possible, when it is not possible to place sublings together whenever possible, when it is not possible to place in 111. Adm. Odd 305 Fequity white the same specific to 111. Adm. Odd 305 Fequity that the same specific and make of the same specified and specified and specified and specified and persistent of this section has been more to 301 to 111. Adm. Odd 301 to 12 account of this section has been more than 111. Adm. Odd 301 to 12 account of this section has been more than 111. Adm. Odd 301 to 12 account of this section has been more than 111 and 111. Adm. Odd 301 to 12 account of this section has been more than 111 and 112 accounts the same specified and present more than 112 accounts the same specified and present of the section as the same specified and present of the section as the same specified and present of the section as the same specified and section as the same specified and the same specified and the same specified and section as the same

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

16) Information and questions regarding these adopted amendments shall be directed to:

Jacqueline Nottingham (Chief Office of Rules and Procedures Department of Children and Family Services 406 East Monco St., Station #222 Springfield, IL 62701-1498

TTY: (217) 524-3715

The full text of the adopted amendments is as follows:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

DEPARTMENT OF CHIEDREN AND FAMILY SERVICES SUBCHAPTER a: SERVICE DELIVERY TITLE 89: SOCIAL SERVICES CHAPTER III:

CLIENT SERVICE PLANNING

97	Introduction to Client Service Planning	Types of Permanency Goals and Alternative Perms	an
Definitions	Introduction to (Types of Permaner	Service Clan
20	30	0+	000

mency Options Case Review System

Roles and Responsibilities of the Administrative Case Reviewer Decision Review 305.30 305.40 305.50 305.60 305.70 305.80 305.10 305.110 305.120 305.120

Evaluating Whether Children in Placement Should Be Returned Home Parent-Child Visitation (Repealed)

Compliance With the Client Service Planning Reguirements The Department's Role in the Juvenile Court Planning for the Termination of Services Termination of Parental Rights

NUTRORITY: Implementing and authorized by the Children and Family Services Act 20 ILCS 505], the Abused and Neglected Child Reporting Act (325 ILCS 5), the doption Assistance and Child Welfare Act of 1980, amending Section 475 of the Social Security Act (42 U.S.C.A. 670 et seq.), the Juvenile Court Act (705 LCS 405), and the Adoption Act (750 LCS 50].

1981: amended at 8 III Meg. 12570, effective Movemmer 1, 1984, amended at 8 III meg. 12771 amended at 6 III meg. 12771 amended at 6 III meg. 12772 amended at 6 III meg. 12772 amended at 6 III meg. 12771 amended at 6 III meg. 12871 amended at 18 III meg. 12771 effective Outcher 19, 1959 amended at 18 III meg. 12771 effective amen amended at 18 III meg. 12771 effective amen 1975 amended at 18 III meg. 12771 effective amen III meg. 12771 effective amended at 19771 effective amended NOURCE: Adopted and codified at 5 Ill. Reg. 14456, effective December 29, 789. 10487; amended at 19 111. Reg. 10487; effective July 1, 1995; amended at 20 111. Reg. 20 3 0 , effective JUL 5 100g

Section 305.50 Service Plan

The service plan is a written plan which is established between the Department, the purchase of service providers, and, if possible, the Department are required regardless of whether the child and family are served directly by the Department or through purchase of service providers. The initial service plan shall be completed within 30 cays Service plans approved by of case opening and at least once every six months thereafter. children child and family served. Purpose of the Service Plan

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES NOTICE OF ADOPTED AMENDMENTS

service plan shall be changed and updated as the child and family's situation changes and shall be reviewed regularly as specified Contents of the Service Plan Section 305.60 98576.

g

Service plans shall contain the following information:

the names of the children for whom the Department is legally responsible or to whom the Department is providing services;

the problems that threaten family stability or could lead to placement of the children away from the family home or nave and an identification of any problems that are causing continued resulted in placement of the children away from the family placement of the children away from the home;

what outcomes would be considered a resolution to these problems; the services to be provided to the parents, the children while in 6 3

a description of a child's pnysical, developmental, educational placed in foster care), that may best resolve these problems: dare and the foster parents (if necessary when children ()

or mental disability and any non-educational specialized services an Individual Treatment Plan (ITP) or Renabilitative Services the child is receiving or should receive for each disability. IF Plan exists for a child, it shall be included in the record;

a description of the educational program/services the child is or an Individualized Family Service Plan (IFSP) exists for a receiving or needs to receive (including informacion recarding Early Intervention, Headstart, or Pre-Kindergarien services for preschool children). If an Individualized Education Plan child, the IEP or IFSP snall be included in the record; (9

who will provide the services, how often they will be provided, and an explanation of why these services will meet the needs of the caildr

the out of nome placement and an explanation of why that if children are placed out of the parents' home, the reasons for placement setting was chosen; 6

10)99 the permanency goal for each child; 11)409 the responsibilities of the family and the child (when joint placement for the sibling group;

12) 11 one responsibilities of one Department and purchase of service appropriate) in fulfilling the service plans

13)±2+ when children and families are separated, the parent-child This plan shall include the time and place of visits, the frequency of visits, the length of visits, and who shall be visitation plan, if visitation is not promotted by court coler. providers, if any, in fulfilling the service plan-

objectives to resolve identified problems and the specification 14) #3 the timeframes for achieving the permanency goal and present at the visits;

DEPARTMENT OF CHIEDREN AND FAMILY SERVICES

of any consequences to the child and family if the time frames NOTICE OF ADOPTED AMENDMENTS

15]±4) a statement that the parents or children may disagree with the service plan and that they may have their disagreement recorded; 16) #57 an explanation of how parents or children may request an appeal and fair hearing.

Copies of the service plan shall be distributed in accordance with the rules on confidentiality (89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by Copies of the Service Plan Department's 6

the parents (unless parental rights have been terminated or

Department has filed a petition seeking the termination of the putative father, if he is participating in planning for the parental rights);

the purchase of service providers, including the foster parents service plan and will receive other portions of the plan when Department. Such training will consist of topics related to the service planning and review process, including an overview of the Foster parents or relative nome caretakers will receive copies of the child's portion of they have successfully completed training prescribed by or relative home caretakers. participants,

participants, positive communication, especially in confrontational situations, confidentiality requirements and limitations, preparation for visits and reunification; the child invited to the case review; appropriate Department staff;

service plan must be submitted to the court within 30 days after The initial the guardian ad litem and legal represenative of the child; and the Juvenile Court when the court has jurisdiction.

a child's placement. Revising the Service Plan ê

if the current service plan does not address the child's needs; if the current permanency goal is no longer appropriate; service plan shall be revised:

within six months of establishing the original service plan; Reg. 9030 at least every six months thereafter. (Source: Amended at £335

Section 305.90 Parent-Child Visitation (Repealed) JUL 5 100C

reguing-parentai-visits-and-contacts-with--a--onild--the--child-s 日子一のサービルが出のこのこのには、「おけのは、一つないのないない」というないのでは、「はないない」というない。 a) The -- Department--- recognizes - that - there - is -a - strong - corretant on - between

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

placement-and-the-permanency-goak-ts-return-homey-parent-chizad-visitsy tekephone-takks-at-reassnapke-hoursy-and-mark--are--encoursged--unkess they -- have -- been -- prontbitted -- by -- court-order -- - The -responsible - agency shažž-arrange-for-parent-chtžd-vtstts-and-shažž--advtse--parents---that repeated---faiture--to---visit---according--ro-she-visiting-pian-shait-be constdeted-a-demonstration-of-a-iack-of-parentai-concern-for-the-chiid ななな一つのツートののは少くしかコークカーフのひのかもののかちしののなかのの一つの一つののとはなっている。一つので「一つなりのからのか

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ののないなおしんが大きのスールトのかかしひょうからいののステーセのコールできなかしのかなからなのニールななな!」からないないのである のひのことをソーセルのなーンとのよりの一なりの一つの一つの日上の一と当日の日上の日子と ÷

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apectをゲーーゲエキエセシカーーナコートたちモーーからRe--のを--cne--cn+kgls--parentsy---± 0056494664-144468-1-434468-1-886644-1-886-1-44648-06489-061-486-198-10444-1-4866 たれきこのなよとのようのなだをコントのはは「メモルとしちのかれのメーツとのもなる」ののなとを「ひの」となって、コンロ・・コロののた

apentily-the-mesponsthithithithes-of-the-Department-the-prain-the-ofservice---providersy---the--parentsy---and---the--child-rin-reservice-でのボートでは下れたの一番のかーかりからならしなの」をなるなかのともしのなーというののものもだしのかしまなななななななななななない。 #

effective Ill. Reg. (Source: Repealed at 20

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Placement and Visitation Services
- Code Citation: 89 Ill. Adm. Code 301
- Adopted Action: Amend Section Numbers:
 - Statutory Authority: 20 ILCS 505
- Effective Date of Amendments: July 1, 1996
- Does this rulemaking contain an automatic repeal date? No
- Do these amendments contain incorporations by reference? Date Filed in Agency's Principal Office: July 1, 1996
- Notice of Proposal Published in Illinois Register: 20 Ill. Reg. 3648, March 1, 1996
- ş Has JCAR issued a Statement of Objections to these rule(s)? 10)
- Difference between proposal and final version: With the exception of minor editing changes recommended by the Joint Committee on Administrative Rules, no changes were made.
- Have all the changes agreed upon by the arency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes 12)
- Will these proposed amendments replace an emergency rule currently in effect? Yes 13)
- Are there any amendments pending on this Part? 14)

708

ction Number	Procesed A	Action111:nois	Recis	ter	Cital	ion	
50	Amend	July 21, 1995 (19 Il	1995	(13	Ill. Reg.	Reg.	10349
0.0		July 21,	1395	(13	111.	Reg.	10349
200		July 21,	1995	(19	111.	Reg.	10349
210	New	July 21,	1995	(19	111.	Reg.	10349)
301.220		July 21,	1995	(19	111.	Reg.	10349
230		July 21,	1995	(13	:11:	Reg.	10349
240		July 21,	1995	(13	111.	Red.	10349

Summary and Purpose of These Adopted Amendments: 15)

These amendments add the following crimes to the list of criminal convictions, described in Appendix A, which prevent placement of children with relatives: indecent solicitation of an adult, solicitation of a

ILLINOIS REGISTER

DEPARTMENT OF CHILDREN AND FAMILY SERVICES NOTICE OF ADOPTED AMENDMENTS

sexual act, and predatory sexual assault of a child.

Information and questions regarding these adopted amendments shall be 16)

Department of Children and Family Services Office of Rules and Procedures Jacqueline Nottingham, Chief directed to: Address: Name:

406 East Monroe St., Station # 222 Springfield, Illinois 62701-1498 (217) 524-1983 (217) 324-3715 Telephone: TTY: The full text of the adopted amendments is as follows:

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES SUBCHAPTER a: SERVICE DELIVERY TITLE 89: SOCIAL SERVICES

PLACEMENT AND VISITATION SERVICES PART 301

Foster Care Placement Goal (Renumbered) Plans to Achieve This Goal (Renumbered) Definition (Repealed) Purpose (Renumbered) 301.2

Section

SUBPART A: PLACEMENT SERVICES

Section

Sharing Appropriate Information with the Caregiver Medical Examinations for Children in Placement Care in a Medical/Psychiatric Facility Placement Selection Criteria Legal Authority to Place Relative Home Placement Poster Family Home Care Emergency Placement Residential Care Definitions Purbose 301.20 301.30 301.40 301.50 301.60 301.90 301.100 301.110 301.120 301.120

SUBPART C: FOSTER CARE PLACEMENT GOAL

Education of Children While in Placement

Criminal Convictions which Prevent Placement of Children Plans to Achieve This Goal Foster Care Placement Goal APPENDIX A 301.320

AUTHORITY: Implementing and authorized by the Children and Family Services Act Court Act of 1987 [705 ILCS 405]; and the Adoption Act [750 ILCS 50].

SOURCE: Adopted and codified at 7 111. Rep. 881, effective January 12, 1983; amended at 9 111. Rep. 9914, effective July 1, 1985, manufed at 1 111. Rep. 9914, effective July 1, 1985, amended at 31 111. Rep. 9914, 1, 1993

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effective Pebruary 16, 1996, for a maximum of 150 days; amended at 20 III. Reg. 1602, effective March 15, 1996; amended at 20 III. Reg. 90.36 , effective

of 301.APPENDIX A Criminal Convictions which Prevent Placement Children with Relatives

Children for whom the Department of Children and Family Services is legally responsible shall not be placed with a relative, as defined in

(a)

relative caregiver or any adult member of the household has been convicted of committing any of the following crimes, except as allowed via a variet process below.

1 Romitties this Part, or allowed to remain in the home of a relative if the

- Solicitation of murder for hire* Solicitation of murder*
- Voluntary manslaugnter of an unborn child* Intentional homicide of an unborn child*
- Involuntary manslaughter*
- Reckless homicide*
- Involuntary manslaughter of an unborn child* Concealment of a homicidal death* ****
 - Reckless homicide of an unborn child* Drug induced homicide*
- Sex Offenses 23
- Exploitation of a child* Child pornography*
- Sexual exploitation of a child* Obscenity
 - Harmful materials
- Fie in sales of obscene publications to distributors Indecent solicitation of a child* ****
 - Indecent solicitation of an adult Public indecency
- Sexual relations within families* Prostitution
 - Soliciting for a prostitute
- Soliciting for a juvenile prostitute* Solicitation of a sexual act

 - Keeping a place of prostitution* Pandering
- Keeping a place of juvenile prostitution*
 - Patronizing a prostitute
- Patronizing a juvenile prostitute*
 - Pimping
- Juvenile pimping*
- Kidnapping and Related Offenses 3

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

- Aggravated unlawful restraint
 - Forcible detention
- Aiding and abetting child abduction*
- Aqqravated kidnapping Child abduction* ***

Bodily Harm

4

- Aggravated battery of a child* Criminal sexual assault*
- Aggravated criminal sexual assault* ÷
- predatory criminal sexual assault of a child* Aggravated sexual abuse* Criminal sexual abuse* â
 - Heinous battery*
- Tampering with food, drugs, or cosmetics Aggravated battery with a firearm
 - Drug-induced infliction of great bodily harm Aggravated stalking Home invasion ******
 - Criminal transmission of HIV Vehicular invasion
- Criminal neglect of an elderly or disabled person Child abandonment*
 - Endangering the life or health of a child* Ritual mutilation

Ritualized abuse of a child*

- An offense in any other state the elements of which are similar 2
- and bear a substantial relationship to any of the foregoing If the relative caregiver or any adult member of the household has offenses.

<u>0</u>

- marked by an asterisk, any request for a waiver must be submitted in been convicted of one of the crimes in subsections (a)(1) or (5) above perschal the following information along with the request for waiver of the criminal writing to the Director of the Department for his or her The supervising agency snall submit conviction(s). approval.
 - the length of time that has elapsed since the last conviction(s); to care for the age of the individual at the time of the conviction(s);
 - the relationship of the crime and the capacity related children;
- opinions of community nembers concerning the individual in evidence of rehabilitation; and question.
- If the relative caregiver of any adult member of the household has been convicted of one of the crimes identified in subsections (a)(1)ô

through (5) above not marked by an asterisk, related children for whom is legally responsible snall not be placed in or continue to remain in the relative caregiver's bousehold unless a waiver of this prior criminal history has been granted in accordance with the designate specific Department employees who have the authority to successfully rehabilitated and placement in the relative's household Department to consider the factors in (b) above. Such requests may be requirements of this subsection. The Director of the Department shall grant such waivers on a 24 hour per day basis. When the supervising agency believes that there have been extraordinary circumstances criminal history or the convicted person(s) has been is in the best interests of the children, the supervising agency may made crally, but must be confirmed in writing. The Department's decision with regard to the request for a waiver shall be documented request a waiver of this prior criminal history by asking in writing and included in the child's case record. surrounding the

effective 9036 Reg. 50 (Source: Amended

ILLINOIS REGISTER

FLLINOIS COMMERCE COMMISSION NOTICE OF ADOPTED RITE

- Heading of the Part: Effect of Adoption of Least-Cost Plans
- Code Citation: 83 Ill. Adm. Code 441 5
- Adopted Action: New Section Section Numbers:
- Statutory Authority: Implementing and authorized by Section 10-101 of the Public Utilities Act [220 IECS 5/10-101].
- Effective Date of Pule: July 15, 1996
- Does this rulemaking contain an automatic repeal date?
- Does this rule contain incorporations by reference? No
- Date Filed in Agency's Principal Office: June 26, 1996 8
- Notice of Proposal Published in Illinois Register: January 19, 1996, at 6
- Has JCAR issued a Statement of Objections to this rule?
- the second sentence, change "substantial and maretial change of relevant" to "change of conditions" and delete "circumstances"; change the second Difference(s) between proposal and final version: Section 441.10(b): In 'circumstances" to "conditions"; add "and unich would nave likely alrered the Commission's decision concerning the approval of that program or 'esource" after "resource" at the end of the subsection.
- Have all the changes agreed upon by the agency and JCAR been nade, as indicated in the agreement letter issued by JCAR? Yes 12)
 - Will this rule replace an emergency rule currently in effect? 13)
- Are there any amendments pending on this Part?
- Summary and Purpose of Rule: The rule concludes that a Commission order approving a least-cost plan snall constitute prima facie evidence of the of the decisions made and actions taken by the utility through implement the plan. This will apply to proceedings other than the one in which the plan was adopted. This will reduce the regulatory uncertainty for the utilities and recognizes that parties in the least-cost plan proceeding have already had an opportunity to challenge the implementation of plan approval and subsequent actions and decisions plan proposed by the utility. Drudence the date 15)
- Information and questions regarding this adopted rule shall be directed

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TLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED RULE

Cilinois Commerce Commission 527 East Capitol Avenue Conrad Rubinkowski P.O. Box 19290

Springfleld, IE 62794-9280 (217) 785-8439

The full text of the Adopted Rule begins on the next page:

ILLINOIS COMMERCE COMMISSION

CHAPTER I: ILLINOIS COMMERCE COMMISSION SUBCHAPTER C: ELECTRIC UTILITIES TITLE 83: PUBLIC UTILITIES NOTICE OF ADOPTED RULE

REFERENCE OF ADDRION OF ELECTRIC LEAST-COST PLANS PART 441

Effect of Adoption of Least-cost Plans 441.10 Section

the Public AUTHORITY: Implementing and authorized by Section 10-101 of Utilities Act (220 ILCS 5/10-101).

ಣ 904 5 Reg. 20 10 JUL 1 5 1896 SOURCE: Adopted

Section 441.10 Effect of Adoption of Least-cost Plans

(a "plan"), as provided in 83 Ill. Adm. Code 440.810, shall have the following effect in proceedings sefore the Commission of an electric Adontion by the Illinois Commerce Commission ("Commission") other than the one in which the plan was adopted: least-cost energy plan utility

a) A Commission order approving a plan, whether that order has seen this Part, shall constitute prima facre evidence that utility decisions made or actions taken through the date of plan approval that are related to the Such prima facie evidence shall be rebutted if any party or Commission the utility failed to disclose, prior to the issuance of the order approving the plan, facts known to the utility which would have likely altered the Commission's decision if iney had been in the tecord of the proceeding in which the plan was approved. Examples of such facts include, but are not limited to, omissions from the analyses required Sevels of Peak Demand and Energy Usage" and 83 Ill. Adm. Code 440.610, "Future to 83 Ill. Adm. Code 440.620 and/or 440.700 are prudent. selection of furure resources and specifically identified in the Staff provides evidence in the record of such other proceeding by 83 Ill. Adm. Code 440.500, "Historical and Forecasted date of issued before or after the effective

made in accordance with the approved plan shall be rebutted by a showing by any party or the Commission Staff of a change of conditions been issued before or after the effective date of this Part, anall constitute prima facie evidence that subsequent actions and decisions or acquire resources, are prudent, provided that such programs or resources are 111. Adm. Code 440.310 and 440.700 in the approved plan. Prima facte evidence of the prudence of subsequent actions and decisions of the utility, as described above, A Commission order approving a utility's plan, whether that order of the utility to implement programs, or to create specifically identified pursuant to 83 Resource Options." (q

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED RULE

upon which the Commission relied in approving a program or resource specifically identified in the approved plan, where such change of utility at the time of those subsequent actions and decisions of the utility as to that program or resource and which would have likely apported the Commission's decision concerning the approval of that program or resource. been known by conditions was known or reasonably should nave

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ILLINGIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD NOTICE OF ADOPTED RULES

- Heading of the Part: Part-Time Basic Training
- Code Citation: 20 Ill. Adm. Code 1770 2)

J.O Statutory Authority: Implementing Part 725 and authorized oy Section 10 the Illinois Police Training Act [50 ILCS 705/10]. 7

- Effective Date of Rulemaking: July 1, 1996
- Does this rulemaking contain an automatic repeal date? No (9
 - Does this rulemaking contain incorporations by reference?

S,

- Date Filed in Agency's Principal Office: July 1, 1996
- Notice of Proposal Published in Illinois Register: November 13, 1995, at 19 Ill. Reg. 15331.
- 10) Has JCAR issued a Statement of Objections to these rules? No
 - 11) Difference(s) between proposal and final version:

Section 1770.102(b): The definitions of "full-time police officer," "part-time police officer," and "seasonal part-time police officer," and Section 1770.102(b): The following definition for "full-time been deleted.

NOTICE OF ADOPTED RULES

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enforcement officer who is a member of a duly authorized police department and is employed full-time by a unit of local government. An officer who is employed by one or more local governmental agencies and works more than 1,560 work hours in a twelve month period beginning on the first of January of any calendar year, must comply with the training provisions of the Illinois Police Training Act. Nothing in this definition is intended to Section 1770-102(b): The following definition for "part-time police officer" has been added: "Part-time police officer" means a law enforcement officer who is a member of a duly authorized golice department added: "Full-time police officer" means a law and and is employed by one more units of local government 1,560 hours or of any Part-time police officers must comply with the training provisions as specified in this Part. Nothing in this definition is intended to after or affect the training requirements established for full-time police officers as defined in this Section and pursuant to Less per twelve month period beginning on the first of January alter or affect the pension status of any public employee. Illinois Police Training Act. peen calendar year.

Section 1770.209: This section on "direct supervision" has been modified. "in-person." In additon, the words "full-time" have been deleted from the the second sentence of this section are the from Deleted

Section 1770.303: Eliminate subsection (b). first sentence of this section.

reflect technical modifications as agreed to with JCAR,

All other modifications to these rules are non-substantive in nature, and

Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

Will this rulemaking replace an emergency rule currently in effect? 14) Are there any amendments pending on this Part? No

Summary and Purpose of Rulemaking: Part 1770 has been developed pursuant the passage by the regislature, and approval by the Governor, to establish basic training for all part-time police officers in the state 16) Information and questions regarding these adopted fules shall be directed

Address: Illinois Law Enforcement Training and Standards Board 600 South Second Street, Suite 300 Springfield, Illinois 62704-2542 Name: Kevin T. McClain Telephone: (217) 782-4540

The full text of the Adopted Rule begins on the next page:

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IDLINOIS LAW ENPORCEMENT TRAINING AND STANDARDS BOARD

WOTICE OF ADOPTED SHIPS

PITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENPORCEMENT TLLINGIS LAW PNPOROFNENT CHAPTER V:

PART-TIME BASIC TRAINING

PART 1770

SUBPART A: GENERAL PROVISIONS

Veracity of Information Purpose and Scope Definitions 1770.102

Confidentiality of Information

Board Review

1770.104

SUBPART B: TRAINING PROCEDURES AND REQUIREMENTS

Minimum Curriculum Reguirements Training Standards

Certification of Facilities Standards and Reguirements 1770.203

Part-Time Police Officers Minimum Requirements of the Rectuit 1770.205

Qualifications of Part-Time Police Instructors Certification Examination Wellness Standards 770.207

Direct Supervision

Work Station Activities

TRAINING THROUGH MOBILE TEAMS

General Provisions Applications

Section

Scard Decisions Budget 1770.304 1770.303

authorized by Section 10 of the Illinois Police Physical Fitness Standards AUTHORITY: Implementing and Training Act [50 ILCS 705:10]. APPENDIX A

9047 Reg. Adopted at

SUBPART A: GENERAL PROVISIONS

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

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Purpose and Scope

Section 1770.101

general requirements and procedures which are applicable for the training of otherwise indicated, the rules set forth in this Part provide the

all part-time police officers. Section 1770,102 Definitions

- The definitions of terms used in this Part are the same as those found in the Illinois Police Training Act (Act) (50 ILCS 705). a)
- Notwithstanding subsection (a) of this Section, the following terms are defined for purposes of this Part: Ω.
- Act" means the Illinois Police Training Act [50 ILCS 705].

"Coordinator" means an employee of the mobile team who manages ongoing operations of the mobile and directly supervises the

'Director" means the Executive Director of the Illinois Police Training Board.

employed by one or more local governmental agencies and works more than 1,560 work hours in a twelve month period beginning on Full-time police officer" means a law enforcement officer who is a member of a duly authorized police department and is employed first of January of any calendar year, must comply with the training provisions of the Illinois Police Training Act. Nothing in this definition is intended to alter or affect the pension An officer full-time by a unit of local government. status of any public employee. "In-Service Training Act" means the Illinois Intergovernmental Law Enforcement Officers in-Service Training Act [50 ILCS 720].

"Mobile Team" means the organization established as a Mobile Team

In-Service Training Unit (see 50 ILCS 720/2).

which is established by the Board as a unit of "Module" means any segment of the part-time basic training instruction within the part-time basic training course. part-time police

"Module Test" means those examinations created by the Board which are administered at regional training facilities successful completion of a Board-approved module. "Monitor" means that person on location at a training site who is responsible for ensuring training and training records are being

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properly gathered and maintained.

"Part-time police officer" means a law enforcement officer who is employed by one or more units of local government 1,560 hours or less per twelve month period beginning on the first of January of any calendar year. Part-time police officers must comply with training provisions as specified in this Part. Nothing in or affect the training requirements established for full-time police officers as defined in this Section and pursuant to the Illinois Police Training Act. this definition is intended to alter

POWER-test" means the physical fitness standards established pursuant to 20 Ill. Adm. Code 1720.30(h), "Recruit" means a probationary part-time police officer who has not received a Board certificate artesting to the successful completion of the part-time police basic training course.

Regional Training Facilities" means those designated facilities by the Board where probationary part-time police officers must convene at times determined by the Board for in-person direct training. approved

"Unit of Instruction" means that course of instruction which is combined with other courses in instruction to form a module. "Work Stations" means those designated facilities approved by the Illinois Law Enforcement Training and Standards Board where probationary part-time police officers can receive distance training under this Part.

Section 1770,103 Veracity of Information

No person shall make any false or misleading statement, representation or certification of any record, report or any other document filed with the Board or required by the Board. In the event records, reports or other documents are determined to be not in compliance with this Section, the Board may take appropriate action, including, but not limited to, disqualitying, dismissing or prosecuting said person.

Section 1770.104 Confidentiality of Information

- by stamping the words "Confidential Business Information" on each page Claims of confidentiality must be asserted, at the time of submission, containing such information. No information will be submitted parties involved in litigation without subpoenas. a)
 - Claims of confidentiality on the following information will

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD NOTICE OF ADOPTED RULES

and address of any applicant for reimbursement; Sinancial data submitted to the Board in order to provide matching denied: Name

Notwithstanding the provisions of subsection (a), the Board will Personal and private information may be acquired from the Board adhere to the provisions of the Freedom of Information Act (5 with the signed consent of the interested person. 1401.

6

Information received by any mobile teams created pursuant to the Illinois Intergovernmental Law Enforcement Officers In-Service Training Act [50 ILCS 720] shall be treated as information received by the Board under subsections (a) and (b) of this Section. ê

Section 1770.105 Board Review

Part-Time Basic Training Course. The Board shall, as changes in the law or training techniques occur, make modifications in the Part-Time Basic Training The Board shall be responsible for annually reviewing the curriculum of the Course.

SUBPART B: TRAINING PROCEDURES AND REGUIREMENTS

- Section 1770.201 Training Standards
- The Board shall establish training standards and curriculum for the Except as provided for in Section 8.1 of the Illinois Police Training Act, every recruit must successfully complete the Part-Time Basic Training Course to be a certified part-time police officer. implementation of the Part-Time Basic Training Course. a) (q

Section 1770.202 Minimum Curriculum Requirements

- The Board shall annually review the Part-Time Basic Training Course to update and improve the minimum basic training requirements to ensure the course is of similar content and same number of hours as the a)
 - The Board's mandated training course may be reviewed and modified at time by the Board. Nevertheless, the approved curriculum will include, but not be limited to, the following: courses for full-time officers. any â
 - Those curriculum courses and topics established in Section The Peace Officer Firearm Training Act [50 ILCS 710]; and

Section 1770.203 Certification of Facilities

facilities and other facilities which provide adequate space to satisfy the requirements described in this Part and which are Board shall certify those work-stations, regional training In making necessary to effectively provide part-time basic training. a

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be conducted on a regular basis by the coordinator, an employee of the determination, the Board shall consider the economic training at a particular location and the economic feasibility of offering training. On-site inspections shall mobile team or the Board to determine the adequacy of facilities and feasibility of offering administration.

- In certifying facilities for training under this Part, the Board will ensure that work stations are available and accessible to recruits for a minimum of 8 hours per day on business days. A Board-approved identification of the recruit must be provided at the time the recruit Eacility monitor shall log in and log out all recruits. 6
 - In certifying facilities for training under this Section, the Board will ensure the facility maintains records of all training activities as prescribed by the Board. Said records shall be maintained by the Chief Administrator of said facility until said time as they are transferred to the coordinator of the designated mobile team of the logs in. Û
- Each facility shall establish a designated area for part-time basic training which enhances the training opportunity and provides adequate region. The records shall be transferred at least monthly. ç
- space and solitude, and shall post therein a symbol or notice that materials, equipment and videos at the facility remains at the The Chief Administrator is responsible for ensuring that training is in progress when a recruit is undergoing training. 6

Section 1770.204 Standards and Requirements

facility where the training occurs.

- Each mobile team with a part-time basic training course in its region shall operate under the guidelines set forth in this Part. The coordinator of the mobile team shall assume the responsibility of (e)
 - records, rating of course notebooks, arranging for instructors as approved by the Board, providing for food and lodging where appropriate, arranging for adequate training facilities, such as work the overall supervision of the course, including, as determined by the Board, the maintaining and grading of tests, the maintaining of all stations, regional training facilities, firearms courses, gymnasiums, driving and running courses, and maintaining and in consultation with the Director, shall choose before the course begins which work station or regional training facility each recruit overseeing the conduct and discipline of recruits. auditoriums,
- The records shall include, but not be limited to, the attendance and performance ratings of the recruit, including test scores for every the Board shall be maintained in accordance with the State Records Act Each mobile team shall maintain complete records for each recruit. written or oral test, during the Part-Time Basic Training Course. Frecords gathered by the mobile team or other facilities approved î

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and, for purposes of this Parts, shall be deemed to be the records of the American the Confidential, No records shall be released disseminated or published except through the Board and with the Board's permission.

Of The conclusions shall be responsible for substitution to the Director a Attendance shall be responsible for substitution that is and treatment of the conclusion of the con

Section 1770.205 Minimum Requirements of the Recruit

- a) Attendance at all sessions is required. In order to successfully complete the Part-Time Basic Training Course, the recruit shall attend
- all tetaining sessions.

 b) Maintenance of an adequate classroom notebook is required. Factors to be considered in staing the notebook are nearness, legibility, be considered in fating the notebook are nearness, legibility, subsective and sufficiently of content. "Adequate," for purposes of this subsection refers to:

during the probationary period.

- Neatness. Concise organization of the notes. All notes and handouts will be placed in the book received during the course. Dividers into topics are required; and
- Dividers into Popics are required; and Legibility. Recording of notes in brief, clear complete sentences. Underlining the important trems, and
- sentences. Underlining the important items; and
 3) Accuracy. The notes taken in class must precisely reflect the
 content of the class; and
- Sufficiency of content. Recording in the recruit's notebook should be in the recruit's own words. The recruit should strive to adule condensation of the material clearly and concusally to adule or the material strain of the peace Office.
 Qualifications in the use of fixearms as required by the Peace Office.
 - "present referrite fability of SIGES TOTAL TOTAL CONTROLLED BY WITHOUT TOTAL OF THE SIGES AND THE SI

Course and must forfeit the position. In the event the recruit failed

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two different module testing segments, the recruit will not be allowed to continue the Part-Time Basic Training Course and must forfeit the postion.

A recruit must successfully pass every module before being eligible to

6

- take the Board's Petr-Time Volice Certification Examination.

 "The Director shall establish standards of Conduct for the recruit while he or she is taking the Parties Basic Tataing Course. These shall include desenors, opportung and original Course. These and regulations of the Tacility or course.
 - and requisitions of the Sacility occurse.

 3 Each records and the sacility occurse.

 The Bard rectification that the recent is an abreson of good character and mas not been conclused of a sciency of good character and mas not been conclused of a felony offense or a crime livelying notal turplined. A securit mastll insectately, in retiting, keep the Bard motified of all arrests and convictions while the
 - Description in subsequent particles abate craning.

 Associated and experience and consideration and consideration of the warded a correctiones entering on his auccessful, posts, who has not easily because the analysis of the particles and craning observe in a postscholed by the abased by December 1971.

 By the consideration of the approximate of the consideration of the approximate construction in a postscholed by the abate of programmer and not not a present and the construction of the approximate of the construction of the approximate of the programmer of the
- la Mach recently employed on or sets almany 1, 1934, won has not even a warded a certificate exceeding to his successful, completion of the Bartellee abaic Textings occurs an appreciated, completion of the months after this initial particle employment, must forfeith his moths after this initial particle employment, must forfeith be based extending the period for compliance. Such waters mail the issued most than 30 days beyond the initial 19 months, Good and justifiable reasons for a waiver funde, out as not limited to, unavailability of facility space for textings, liness or disability, and the reed probationary period.
- 1) Each recruit will bring such equipment to training sessions as is required by the Director.

 The recruit shall pass the State Patriciae Certification Examination to equify as a partitime police officer, except as is otherwise provided for in the police.
 - for in the Act.

 1) The test shall be in writing. It shall be administered by the staff of the Boatd, or such other resting company or association staff of the Boatd, or such other resting company or association
- expressly authorized by the Board; and
 2) The Board shall establish a minimum passing score. In
 establishing the minimum passing score, the Board will ensure

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

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that the score reflects the knowledge and competency of the recrit for law andocrement work. The minimum possing score will be established by the Board within the range of 60 to 80 percent of the total score. At the beginning of each treahing course the minimum passing score will be amounted, and

- 3) The content of the test for law enforcement officers may include, but not be limited to, material in the areas as specified in Section 7(b) of the Act and subjects cowered in the Peace Officer Firearm Training Act [50 LIGS 710]; and
 - 4) The content of the test for part-lime officers may include, but not be limited to omterials in the areas specified in 20 ill. Adm. Code 1770,202; and
- 5) The Soad shall at least blennially review the content of the exam and minimum passing score to ensure they are current and reliable.

Section 1770.206 Procedures for Administration of Part-Time Police Officers Certification Examination

- a) The Certification Examination will be administered to all recruits who
 successfully complete the Part-Time Basic Training Course certified by
 the Board.
 - Becruits who successfully pass the Certification Examination shall be elliptible to reserve certification attesting to their successful concletion of the garr-time basic training requirements.
- c) Examination scores will be reported in writing to the Chief Administrator after the recruit's employing agency within 14 days after the examination date.
- affer the examination date.

 d) Part-time police recruits are required to successfully complete the Certification Examination on one occasion only. There are no
- requirements for re-qualification.

 e) Only recruits who have been certified by the Board as having set all the requirements of having successfully completed the Patrillam Basic Training Course are aligible to take the Patrillam Certification Exemination.
- Each recruit must be a part-time police officer and be employed by a local law enforcement agency.
 In the event the recruit fails to successfully complete the g) in the event the recruit fails to successfully complete the
- g) in the event the verial falls to successfully complete the cutification beautiful administration. The full administration is not the valid be allowed to terrise the Certification Daminist end and the verial fall of the certification fall and the certification and stable for certification and the second must be adjusted for certification and the second must be certification and the second must be controlled.
- In order to be eligible to re-sees the critication Deminstration, a written request must be simplicited by the Chief Administration of the employing spency. Upon seceipt of the written request, the Board shall administes the receipt of the written request, the Board provided in subsection (o).

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ILLINGIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

NOTICE OF ADOPTED RULES Part-time police officers who initially fail to successfully

- the certification Examination will be administered an alternate version of the Certification Examination on any successive zerate(s). The Board will establish and publish the locations with the axes and trees for the administration of zerate cannot tree for the administration of zerate cannot at least victo every six months.
- k) The Certification Examination will be administered at regional trading facilities on the last Saturday of the last month of the nation and maintain contents.
 - Partition Basic Tazaining Course.

 1) The recruit will have 1.5 hours to complete the Part-Time Certification Exemination. A secritivill be excused from completing the examination at that session if he/she is ill and excused by the
- protoco. Individuals allowed within the testing area will be limited to Board-approved examination proctors and those who are taking the
 - n) Any recruit win.

 Any recruit win is uncopporative, disriptive or is thought to be comesting during the admissration of the Constitution destination will be ordered by the profess to the Constitution and will be ordered by the profess to the Constitution and will be ordered by the profess to the Constitution and the Constitution of the Constitution and whether the recruit is eligible to retake the confidence of the Constitution and Constituti
- o evidence of som sixtehnois of the Per-Time Certification Examination will not be deemed equivalent to or sufficient in and of itself to render said partries police officer eligible to obtain a waiver of full-time law enforcement basic retaining or a certificate a steesting to equivalent teathing as a full-time law enforcement officer.

Section 1770.207 Wellness Standards

- a) Each probabilisty garttist police officer smplyided on or affect Innazy 1, 1996 shall successfully compare the Board's physical fitness tests before being allowed to begin the PartTime Basic Training Outse.
 - b) Bach probationary part-time police officer employed before Inniary 1., 1996 shall successfully complete the Board's physical fitness rests before beginning the physical skills unit.
- c) Prior to being allowed to attempt any part of the 200%R test, each probationary part-time police officer shall provide in writing to the conditator, on a form approved by the Board, a medical release and conditator, on a form approved by the Board, a medical release and

NOTICE OF ADOPTED RULES

- report signed by a licensed obysician which indicates shall have the responsibility of scheduling the administration of the Board's Physical Fitness Training Standards as described in subsection (e) of this Section and following procedures that physically the officer is fit medically to take the POWER test. ç
- Every recruit shall be required to perform and successfully complete all of the Board's physical fitness tests in the sequence delineated

as prescribed by the Board.

- 1) Every recruit shall meet the Board's sit and reach standard as Every recruit snail meet the Board's one minute sit-up standard in this Section. The tests shall be as follows: defined in Appendix A.
- Every recruit shall meet the Board's benchpress standard as as defined in Appendix A.
- Every recruit shall meet the Board's 1.5 mile run standards as defined in Appendix A.
- o. a recruit fails to meet any standard in subsection (e) of this Section, the coordinator is authorized to administer a re-test of that administered between 48 and 72 hours after the conclusion of the specific test on one more occasion. The re-taxe of a test must defined in Appendix A. G
 - If a recruit fails to meet the requirements set forth in subsections (e) and (f) of this Section, the recruit shall not be eligible to recruit's first physical fitness test. Û
- A recruit described in subsection (b) of this Section shall be allowed and (f) at any Board-approved POWER Test sites within 45 days prior to to successfully complete the requirements set forth in subsection proceed with part-time basic training. beginning the physical skills unit. 2

Section 1770.208 Qualifications of Part-Time Police Instructors

- A person wishing to be a part-time police basic training instructor shall submit a written application to the Board on a form prescribed by the Board. (a)
- The Police Training Board shall certify instructors for purposes of providing training to recruits under this Part. The Police Training Board shall examine the educational background and/or experience to The instructor shall be a person of personal integrity and instructional demands that will be made of have a sincere interest and desire to impart his/her knowledge and determine whether the instructor has sufficient experience experience to the recruits. 100 to meet education him/her. ĝ
- qualifications set forth above. This decision shall be based on investigation of the credentials of the praticular instructor to decembe expertise in the particular area of instruction in which he varticular instructor meets the This decision shall be cased on The Director shall decide whether a particular instructor meets

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ILLINOIS DAW ENFORCEMENT TRAINING AND STANDARDS BOARD

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Section 1770.209 Direct Supervision

All probationary part-time police officers hired on or after January 1, 1996 shall be directly supervised at all times by a Board certified law enforcement officer. Direct supervision requires oversight and control with the supervisor having final decisionmaking authority as to the actions of the recruit during

Section 1770.210 Work Station Activities

duty hours.

- Every work station approved by the Board shall be situated in an area that is available and accessible. (P
 - Every recruit shall log in and log out when using a work station. Only one recruit may use a work station at a time. (q ô
- The approved work station facility shall maintain accurate record of a recruit shall be present at the work station when logged in. recruit's use of a work station. G)

SUBPART C: TRAINING THROUGH MOBILE TEAMS

General Provisions Section 1770,301

- Unless otherwise stated, the provisions contained in 20 Ill. Adm. Code 1740 shall apply. In the event a conflict between provisions arises, the provisions set forth in this Part regarding the training of part-time police officers shall prevail.
- officers by a mobile team may include salary contributions of part-time police full-time law enforcement and part-time police officers while they Matching funds by mobile teams for training of attend training. q

Section 1770.302 Applications

- In addition to the application requirements set forth in Part 1740, snall include projections for the training of part-time police officers. team the mobile (p
- In the event that the mobile team underestimates or overestimates the The coordinator of the mobile team shall submit to the Board a monthly report updating the Board of its progress in training probationary number of probationary part-time police officers, the mobile team shall immediately inform the Board in writing. G

Section 1770.303 Budget

part-time police officers.

- The mobile team shall budget for the training of part-time and probationary part-time solice officers.
 - The Board's approval of any mobile team budget shall be conditioned to

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

NOTICE OF ADOPTED RULES

part-time basic training as required in the Act and contained in this Part. In the event a Board approved budget must be changed by a mobile team

to conform with this Section, the mobile team shall submit revised Matching funds required for the non-operational budget requirements applications to the Board for further Board approval.

ç

under the In-Service Training Act for this Part shall include, but not be limited to, only the salaries of law enforcement probationary part-time and part-time police officers.

Section 1770.304 Board Decisions

by the Board in the course of scheduling, training and certifying and certification established by the Board, providing recordkeeping, maintaining The mobile team and its coordinator shall adhere to and follow all directives part-time police officers. These requirements include, but are not limited to, confidential materials or information deemed confidential by the Board, and informing the Board of its activities, financially and operationally, in the with recruits and facilities, implementation and development of part-time basic training. prescribed forms, following disciplinary relationships requirements using Board established

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

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Section 1770.APPENDIX A Physical Fitness Standards

back and upper leg area. It is an important area for performing police tasks involving range of motion and is important in minimizing lower back problems. The test involves stretching out to touch the toes beyond the in the inches SIT AND REACH TEST: This is a measure of the flexibility of extended arms from the sitting position. The score is reached on a yard stick with 15" being at the toes.

20-29 30-39 40-49 50-59 60 Plus 18.8 17.8 16.8 16.3 15.0 PEMALE AGE 20-29 30-39 40-49 50-59 60 Plus Sit and 16.0 15.0 13.8 12.8 12.0 Reach

MALE AGE

I MINUTE SIT UP TEST: This is a measure of the muscular endurance of the abdominal muscles. It is an important area for performing police tasks that may involve the use of force and is an important area for maintaining good posture and minimizing lower back problems.

MALE AGE

20-29 30-39 40-49 50-59 60 Plus 13 8 2.4 31 20-29 30-39 40-49 50-59 60 Plus 18 23 28 34 1 Min-

ute Sit

1 REPETITION MAXIMUM BENCH PRESS: This is a maximum weight pushed from the bench press position and measures the amount of force the upper body generate.

MALE AGE

20-29 30-39 40-49 50-59 60 Plus . 42 . 43 6+. . 52 .58 20-29 30-39 40-49 50-59 60 Plus . 65 .70 .79 .87 86. Maximum Press Ratio

performing police tasks involving stamina and endurance and to minimize the risk of cardiovascular problems. The score is in minutes and seconds. 1.5 MILE RUN: This is a timed run to measure the heart and vascular systems' capability to transport oxygen. It is an important area for

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS ROARD

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20-29 30-39 40-49 50-59 60 Plus 16.21 16.52 17.53 18.44 19.39 20-29 30-39 40-49 50-59 60 Plus 13.46 14.31 15.24 16.21 17.38 Mile Run TEST

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DEPARTMENT OF PROFESSIONAL REGILLATION NOTICE OF ADOPTED AMENIMENTS

Heading of the Part: Controlled Substances Act

2

- 77 Ill. Adm. Code 3100 Code Citation:
- Amendment 3100.10

Adopted Action:

Section Numbers:

- Statutory Authority: The Illinois Controlled Substances Act (720 ILCS 7
- Effective Date of Amendments: July 1, 1996
- Does this rulemaking contain an automatic repeal date? No (9
- Do these Amendments contain incorporations by reference?
- Date Filed in Agency's Principal Office: July 1, 1996
- April 12, 1996, Date Notice of Proposal Published in Illinois Register: at 20 Ill. Reg. 5425
- Difference(s) between proposal and final version: Only style changes were Has JCAR issued a Statement of Objections to these amendments?

10)

- Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- Will these Amendments replace an Emergency Amendment currently in effect? 13)
- Are there any Amendments pending on this Part? No 14)
- Summary and Purpose of Amendments: Public Act 89-0140, effective January 80] to authorize optometrists to use therapeutic pnarmaceutical agents (TPAs). Amendments to the rules for the Optometric Practice Act of 1987 (68 III. Adm. Code 1320) to implement this change were adopted at 19 III. Reg. 17150, effective December 19, 1995. The authorization for The Illinois Controlled Substances Act empowers the Department of Professional Regulation to promulgate rules relating to the registration and control of the manufacture, distribution and dispensing 1996, amended the Illinois Optometric Practice Act of 1987 [225 ILCS optometrists to use TPAs also affects one rules for the Controlled of controlled substances within this State. Substances Act.

This proposed rulemaking adds therapeutically certified optometrists

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DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

the list of physicians, dentists, veterinarians and podlatrists licensed in Illinois and defined under "Individual Practitioner" (Section 3100.10(b)(7)). Information and questions rejarding this amended Part shall be directed 16)

Department of Professional Regulation Attention: Jean Courtney 310 West Washington, 310 Mest Pator Springfield, 1111nois 62786 217,785-0813 Pax: 217,782-7645

The full text of the Adopted Amendments begins on the next page:

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DEPARTMENT OF PROFESSIONAL REGULATION NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH CHAPTER XV: DEPARTMENT OF PROFESSIONAL REGULATION

CONTROLLED SUBSTANCES ACT PART 3100

Sie

Definitions Opples of This Part Semesal Explose and Tees Times and Method of Payment Times and Method of Payment Exempted Locations	Passention of Application for Registration Explained Passizions Application for Segistration Department of Application Person Application for Segistration Department of Application Segistration Department of Application Controlled Segistration Definite of Segistration Department of Application Segments of Segistration Department of Application Segments of Segistration Department of Registration Department of Registration Department of Registration Explains of Registration Registration Segments of Registration Segments Controls Segments C	Recilling of Frescription
Section 3100.10 3100.20 3100.30 3100.40 3100.50	1300.00 1900.0	3100.410

DEPARTMENT OF PROPESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Exempt Federal			
pue			suo
Practitioners			es and Regulati
Prescriptions Out-of-State	nspections	vith Rules	ication of Rul
Partial Filling of Prescriptions Freeziptings from Out-of-State Practitioners and Exempt Federal Practitioners	Authority to Make Inspections Inspections	Failure to Comply with Rules Address for Notices	Suspension or Modification of Rules and Regulations Construction of Rules and Regulations
3100.420	3100.440	3100.460	3100.480

Between Pharmacies of Prescription Information for Refill Paragraph 1312(d) Record Keeping Emergency Medication Kits Transfer

Construction of Rules and Requiations

AUTHORITY: Implementing and authorized by the Illinois Controlled Substances Act [720 ILCS 570]. SOURCE: Rules and Regulations promulgated for the Administration of the Illinois Controlled Substances Act, effective October 22, 1975; amended at 3 111. Reg. 38, p. 277, effective September 20, 1979; amended at 4 Ill. Reg. 46, p. 1297, effective November 5, 1980; amended at 5 III. Reg. 3528, effective March 25, 1981; amended at 5 III. Reg. 8633, effective August 12, 1981; amended at 6 II. 80. 10015, effective Angust 5, 1982; conditied at 8 III. 809. 543) annualed at 8 III. 809. 543) annualed at 8 III. 809. 1431 annualed at 8 III. 809. 1544, effective Name of 1981 annualed at 8 III. 809. 1544, effective Name of 1981 annualed at 8 III. 809. 1544, effective Name of 1981 annualed at 8 III. 809. 1544, effective Name of 1981 annuales and 1981 annuales pega-arment conveys and the second se effective

Section 3100.10 Definitions

- Professional Regulation pursuant to the Illinois Controlled Substances a) Authority: This Part is made and issued by the Department of Act [720 ILCS 570] (****-Rev--Statev-ch--56-1/87-parav-1188-et--seqr+, which empowers the Department to promulgate rules relating to the Definitions: Unless the context clearly requires otherwise, registration and control of the manufacture, distribution7 dispensing of controlled substances within this State. (q
 - "Act" -- means the Illinois Controlled Substances Act (720 ILCS following terms have the meanings ascribed to them herein: #
- 570] (Etまつ-Revo-Stato--y-chy-56-4y2y-pars--t189-et--seq-}--or--the Sortas-selected-strissy-triss-selected-these-tro-triss-triss-triss-triss-tresselect.
- "Basic Class" -- is defined as set forth in Title 21, Chap. II, 44

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DEPARTMENT OF PROPESSIONAL REGULATION NOTICE OF ADOPTED AMENDMENTS

Sec. 1301.02 of the Federal Regulations relating to Food and Drugs (21 CFR 1301,02).

- "Controlled Substances Code Number" -- means the number assigned to controlled substances and controlled drug preparations by the Drug Enforcement Administration of the Department of Justice. ÷
- Department"--means the Department of Professional Regulation the State of Illinois. +
- the Director of the Department of Professional Regulation of the State of Illinois. "Director"--means +5
- "Meeting Officer"-means either the Director or any person he_sipe appoints pursuant to Such person shall nave full power to receive evidence, decide evidentiaty questions, issue subpoenas and otherwise conduct a hearing. +9
- veterinarian, or podiarrist or theraseutically certified optometrist licensed in the State of Illinois to practice his/her physician, 43 "Individual Practitioner"--means #
- (other than an individual) licensed, registered or otherwise permitted by the State of Illinois to dispense a controlled substance in the course of professional practice but does not "Institutional Practitioner" -- means a hospital or include a pharmacy. ŧ
- 99 "Registrant" -- means a person or party registered under or holding a certificate of registration pursuant to the Act.
- 184 "Rules" -- means this Part the -rules of -the act.
- 906 Reg. (Source: Amended at

DEPARTMENT OF PROFESSIONAL REGULATION

Heading of the Part: Optometric Practice Act of 1987 NOTICE OF ADOPTED AMENDMENTS

68 Ill. Adm. Code 1320 Code Citation:

Adopted Action: New Section Section Numbers:

Statutory Authority: The Optometric Practice Act of 1987[225 ILCS 80]

Effective Date of Amendments: July 1, 1996

Does this rulemaking contain an automatic repeal date? No

Do these Amendments contain incorporations by reference?

Date Filed in Agency's Principal Office: July 1, 1996

Date Notice of Probosal Published in Illinois Register: April 12, 1996, at 20 Ill. Reg. 5430.

Has JCAR issued a Statement of Objections to these amendments? No

Only nonsubstantive Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes Difference(s) between proposal and final version: changes were made to improve clarity.

Will these Amendments replace an Emergency Amendment currently in effect?

Are there any Amendments pending on this Part? No 14) Sunnary and Purpose of Amendments: This rulemaking establishes that a therapeutically certified licensed optometrist, in order to prescribe non-narcotic controlled substance oral analgesic therapeutic coular grammeetical agents, must apply for a controlled substance license pursuant to 77 III. Adm. Code 3130. 15)

Information and questions rejarding this amended Part shall be directed 16)

Department of Professional Regulation Attention: Jean Courtney

320 West Washington, 3rd =10or Springfield, Illinois 62786 217/785-0813 Fax: 217/782-7645

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DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

TOTICS OF ADDPTED AMENDMENTS

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS TITLE 68: PROFESSIONS AND OCCUPATIONS

OPTOMETRIC PRACTICE ACT OF 1987 DART 1320

SUBPART A: OPTOMETRY

Cartion

1997 20 Application of Optometry 1997 20 Application of Optometry 1997 20 Application of Informatic Conference of Optometry 1997 20 Application of Informatic Conference of Optometry 1997 20 Application of Optometry 1997 20 Application of Optometry 1997 20 Application 1997 20 Applicatio																
1320.20 1320.30 1320.40 1320.45 1320.50 1320.50 1320.70 1320.90 1320.100 1320.110		Programs of Optometr	oplication for Licensure	Kamination	(Emergency Expired	of the	1s (Renumbered	nactive Status	estoratio	ontinuing Educatio	num Eye Examinati	nimum Equipment Sis	factice of Optometr	dvertisi	ranting Variances (Renumbered	
	200000000000000000000000000000000000000	1320.20	1320.30	1320.40	1320.45	1320.50	1320.55	VD.	1320.70	1320.80	1320.30	1320.95	1320,100	1320,110	1320.120	

SUBPART B: DIAGNOSTIC TOPICAL OCULAR PHARMACEUTICALS

Approved Diagnostic Topical Ocular Pharmaceutical Agents Pursuant to Approved Diagnostic Topical Ocular Pharmacological Training Application for Diagnostic Certification Restoration of Diagnostic Certification Endorsement of Diagnostic Certification Renewal of Certification (Repealed) Display of Certification (Repealed) Section 15.1 of the Act 1320.260 320.210 320.230 1320.200 1320.240 1320.250 Section

THERAPEUTIC OCULAR PHARMACEUT STRPADO C.

	SOUTH C. THEN EDITE OCCURS FRANCISCIES
Section	
1320.300	Definitions and Standards
1320.310	Application for Therapeutic Certification
1320.315	Controlled Substance License Requirement
1320.320	Approved Therapeutic Ocular Training
1320,330	Approved Therapeutic Ocular Pharmaceutical
	Section 15.1 of the Act
1320.340	Restoration of Therapeutic Certification

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DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Endorsement of Therapeutic Certification 1320,350

SUBPART D:

Ancillary Licenses Granting Variances Renewals 320.430

NUTHORITY: Implementing the Illinois Optometric Practice Act of 1987 [225 ILCS Section 60(7) of the Civil Administrative Code of llinois [20 ILCS 2105/60(7)]. authorized by and

7448. effective June 15, 1982; amended at 6 Ill. Reg. 10035. effective August 11.1992; amended at 3 Ill. Reg. 1092; effective January 11, 1983; amended at 11. 11.1. Reg. 7804, Deffective Antil 16, 1086; respective Annuar Constant Ill. Reg. 11046; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; emergency amendment at 6 Ill. Reg. 2273, effective January 29, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. Code 1320 (Department of Professional Regulation) pursuant to 2.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 1821; emergency amendment at 12 Ill. Reg. 1925, effective January 1, 1988, for a maximum of 150 days; emergency expired May 30, 1988; amended at 12 Ill. Reg. 11447, effective June 27, 1988; amended at 13 III. Reg. 6994, effective April 25, 1989; amended at 14 III. Reg. 14128, effective August 15, 1990; amended at 17 III. Reg. 18096, effective October 4, 1993; amended at 17 III. Reg. 1150], effective December 1, 1993; amended at 1750, effective December 19, 1995; amended at 20 II. Reg. 20, 6, offective III. Reg. 30, 1995; amended at 20 III. Reg. 30, 1995; amended at 20 III. Reg. 30, offective III. 11966. 7340, effective April 16, 1986; transferred from Chapter I, 68 Ill. Adm. Code 320 (Department of Registration and Education) to Chapter VII, SOURCE: Adopted at 5 Ill. Reg. 5869, effective June 1, 1981; codified Reg. Adm.

THERAPEUTIC OCULAR PHARMACEUTICAL AGENTS SUBPART C:

Section 1320.315 Controlled Substance License Requirement

Therapeutically certified licensed optometrists, in order to prescribe Construction controlled abbetance and analogic teacagestra on particular and service of the controlled abstance license services in Section 130,370(e)), small apply a controlled abstance license services observation of the services of the

(Source: Addit 14996 20

Agents Pursuant

- Heading of the Part: Developmental Disabilities Service
- Code Citation: 89 Ill. Adm. Code 144 23
- Adopted Action: New Section Section Numbers 144.25
- Section 12-13 of the Illinois Public Aid Code (305 Statutory Authority: ILCS 5/12-13] 7

Amendment

- Effective Date of Amendments: June 28, 1996
- Does this rulemaking contain an automatic repeal date? No
- Do these Amendments contain incorporations by reference?
- Date Filed in Agency's Principal Office: June 28, 1996 8)
 - Notice of Proposal Published in Illinois Register:

Section 144.300 March 8, 1996 (20 Ill. Reg. 4035) Section 144.25 March 22, 1996 (20 Ill. Reg. 4526) Has JCAR issued a Statement of Objections to these Adopted Amendments?

Differences between proposal and final version:

Section 144.25

Code Adm. 0 ees), Subsection (a)(1) has been revised by adding .40.642)," after "comprehensive assessment".

(a)(1)(B)(i), both occurrences changed to "condition". In subsection

of "conditon" have

0,0 changed peen In subsection (a)(1)(B)(iv), "insubstantial" has substantial".

Section 144.300

has been added after the CFR "(1994)" date 4 he En subsection reference.

No other changes have been made in the text of the proposed amendments.

Have all the changes agreed upon by the agency and JCAR been made as

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NOTICE OF ADOPTED AMENDMENTS

Yes indicated in the agreement letter issued by JCAR?

Will these Amendments replace Emergency Amendments currently in effect?

Illinois Register Citation Are there any Amendments gending on this Part? Yes 14)

Repeal; New Section April 12, 1996 (20 III. Reg. 5434) Repeal; New Section May 24, 1996 (20 III. Reg. 7302) Proposed Action Sections 144.50

Summary and Purpose of Amendments:

Section 144.25

related amendments to changes being adopted in Section 140.642 regarding universal preadmission screening. Universal screening is required by Public Act 99-21 and will apply to all nursing facility admissions, effective July 1, 1996. Since all of the changes being adopted in Section 140.642 pertain to nursing facility services, old language in this Section concerning IOP/MR eligibility criteria has been moved to 89 Ill. Adm. Code

These amendments to Section 144.25 describing ICE/MR service criteria are

Department, or for the Department of Mental Health and Developmental Phese amendments will not result in any budgetary changes Disabilities, which is responsible for the ICP/MR program.

.44, Developmental Disabilities Service.

Section 144,300

These amendments provide for an add-on of \$.30 per resident day for the costs of propnylaxis and periodontal services for residents of small scale ICE/MR facilities with four or six beds. The S.3 add-on for dental care is a component of the reimbursement provisions for ICF/MR facilities found was drafted to address the unique reimbursement requirements of small facilities with only four or six beds, the S.30 dental add-on was inadvertently omitted. Additionally, a reference is being added to Section 144,300 concerning the add-on of S.10 per resident lay for emergency dental services which is paid to all ICP/MR services. Prophylaxis, periodontal and emergency dental services are required by federal regulations at 42 CFR 483.480 in Medicaid funded residential facilities for persons with developmental in Section 144.275(d)(4). However, when Section 144.300 disabilities. These amendments are expected to result in an annual increase in spending of approximately \$29,000. Reimbursement for the maintenance of the ICE/MR

STICE OF ADOPTED AMENDED

program is the responsibility of the Department of Mental Health and Developmental Disabilities.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Mame: Joanne Jones

Address: Bureau of pules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-0081

The full text of the Adopted Amendments begins on the next page:

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DEPARTMENT OF PUBLIC AID NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES CHAPTER I: DEPARTMENT OF PUBLIC ALD SUBCHAPTER d: MEDICAL PROGRANS

PART 144 DEVELOPMENTAL DISABILITIES SERVICES

Section

-	
144.1	Incorporation By Reference
144.5	Determination of Program (Active Treatment) Costs
144.25	ICE/MR Service Criteria Active - Frestaent-service - Recutrementsin
	Residentiai Sactitttes For Endividuats with Davelouses
	御神田路は本地での中国一一田舎は赤田山中山小
144.50	Inspection of Care (IOC) Peview Criteria for the Svaluation of Active
	Treatment Services in Residential Racilities for Individuals with
144.75	Comprehensive Functional Assessments and Reassessments (Repealed)
144,100	Interdisciplinary Team (IDT) (Repealed)
144.105	Individual Program Plan (IPP) (Repealed)
144.125	Specialized Care - Benavior Development Programs
144,150	Specialized Care - Health and Sansorv Disabilities
144.175	Functional Meeds
144.200	Service Needs - Medical Care (Repealed)
144.205	Service Needs - Medical and Therapy Services (Repealed)
144.225	Individual Rights (Repealed)
144.230	Reconciliation of Resident Funds
144.250	Discharge Planning/Maximum Growth Potential Plan (Repealed)
144.275	Reimbursement for Program (Active Treatment) Costs in Residential
	Facilities for Clients with Developmental Disabilities
144.300	Reimbursement for Program (Active Treathent) Costs in Small Scale
144.325	Capital Rate Calculation
TABLE A	Overview of Staff Intensity Scale of Maladaptive Behaviors
TABLE B	Staff Intensity Scale
TABLE C	IPP Outcomes (Repealed)
TABLE D	Guidelines for Determining Levels of Functioning
TABLE E	Standardized Adaptive Functional Assessment
AUTHORITY:	. Implementing Article III of the Illinois Health Finance Reform Act

 SOURCE Adopted at III. Reg. 1166, defective March 9, 1990; Section 144.275 secondated from 144.275 secondated from 1911. And 7004 section 144.275 secondated from 1911. And 7004 section 1911. And 7004 sectio

NOTICE OF ADOPTED AMENDMENTS

III. Reg. 16619. effective October 17 1944, amended at 18 centre Pebruary 21, 1995; amended at 18 cefective Pebruary 21, 1995; amended at 1911. Reg. 1965. effective Dure 5, 1995; amended at 10 III. Reg. 1966, effective May 6, 1996; amended at 20 III. March 20, 1992; amended at 17 III. Reg. 8478, effective June 1, 1993; amended at 17 III. Reg. 11480, effective July 16, 1993; emergency amendment at 17 III. Reg. 15126, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; emergency amendment repealed at 17 Ill. Reg. 22582, effective December 20, 1993; emergency amendment at 18 Ill. Reg. 11214, effective July 1, 1994, for a maximum of 150 days; amended at 18 3497, effective February 28, 1992; amended at 16 Ill. Reg. 5898, effective , effective JUN 2-8 1996

Section 144.25 ICP/WR Service Criteria Active-Freatment -- Service -- Requirements tn--Residentisi--Pacitities--for--Individuals--vith--Developmental-Disabitites

Need for ICE/MR Services

Repeated

The need for ICE AR services shall be established through a comprehency assessent less (99 11), the Comp. 10.645), the comprehency assessent less (99 11), the Comp. 10.645, and the individual needs a

mental ecardation or a retained the following a related condition that meets all of the following and its many conditions: active treatment and has either:

- It is attributed to ceretal palsy, enliensy, autism, or any other condition, other than ental lithress of minimal ceased and in federal property related to infinite see of animi, found to be closely related to infinite in the condition results in Impalment of sensel, intellerual functioning of adaptive behavior similar to that of mentally retarded persons, and requires treatment or services similar to
 - It is manifested before the serson reaches age 22. It is likely to continue indefinitely. those required for these persons. 333

three or more of the following areas of major life language, learning, mobility, self direction, capacity Et results in substantial functional limitations activity: self care, understanding and use

of current optimal finitional status. Active treatment does not alrolude services to shantain operately; independent clients and anneal manual little supervision of in the absence of treatment is defined by tederal regulations at 42 CFR to function with as much self determination and independence as possible and the prevention or deceleration of regression or loss 483.140(a) as a program of specialized and seneric tranning, treatment, health services and related services, that is directed the acquisition of the benaviors necessary for the client for independent living. 27

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- No applicant for ICE/MR services meeting the above criteria shall be found to be inappropriate for such services due to a need for the treatment of a severe or profound sensory handicap, motor mental retardation; nor shall such an applicant be lenied ICF/MR services the to age, medical needs, or maladaptive a continuous active treatment program. ଣ
 - behavior accept as otherwise described in this Section.

 LOT ICPAN (SNR PED License) services will only be approved for individuals who are under the age of 21 at the time of adminston
- componentive assessment. The Zevel II assessment, the demonstrates that the individual has a redical (privated) condition sequiting stilled even installed even as series and mental restation on a selected condition making a series and calculated in the condition of a condition of a series and calculated in the condition of severe disabilities. The need for such services shall be established through a comprehensive assessment, the Level II assessment, that to the facility.

(Source: Section repealed at 18 III. Reg. 16619, 916 77 0 ctober 27, 1994; new Section adopted at 20 III. Reg. 907 7 , effective

Scale Residential Facilities

Section 144.300 Reimbursement for Program (Active Treatment) Costs in Small

with developmental disabilities will be reimbursed for an active treatment program for each client. Facility program reimbursement levels will be derived by the Department of Mental Health and Developmental Disabilities from the following three determinants witch in combination will result in a total Seculity program per diem amount. These three determinates will be determined according to information provided in the most recent Inspection of Care (IOC) conducted by Department of Public Health survey staff. This IOC information must be validated by the survey staff prior to utilization for payment purposes. The new reimbursement level will be effective on the first day of the quarter following a facility's 10C. Where dollar, wage, or salary amounts are used, these shall be inflated to the fiscal year for which reimbursement Small scale residential facilities (ICF/MR) with four or six beds for clients vill be made.

1) Direct Services a) Minimum Staffing

service staffing pattern which is specific to small scale ICF/MR facilities. Facilities must be in compliance with A) Reimbursement for direct services is based on a direct minimum average daily staffing standards relative to client population according to each individual's overall level of functioning. The overall level of functioning for each client is determined according to the method described in and (ii), and Sections 144.275 (a)(1)(A)(i) Section

NOTICE OF ADOPTED AMPNDMENTS

The direct service staffing patterns based on the size of the residential setting and the overall level of functioning of the client population are: 144.Tables D and E.

FTE* Staff Client Functioning Overall Level of

4-Person ICT/MR

3.88 3.2 9.84 Severe or Profound 6-Person ICF/MR Moderate Moderate

Severe or Profound

*FTE = Full Time Equivalent

Reimbursement will be calculated according to the total direct service FTE staff derived from the weighted average the FTS staff for levels of functioning in the moderate and severe/profound range within the small scale facility. After the total FTE staff are determined, the per diem amount is obtained according to the method in Section 144.275(a)(1)(C)(i). 9

The reimbursement for a client residing in a small scale ICF/WR who has been found to be ineligible for ICF/WR services, as a result of the facility's Interdisciplinary Team (IDT) process or an IOC determination, will be at the mild level of overall functioning for not more than one year ineligibility. If the cilent has not been discharged in accordance with Section 144.250 by the end of the one year period, reimbursement will be made at the Department's sheltered care rate. The sheltered care rate will be payment in full for all program, capital and support costs determination quarter following the the Erom

for a client admitted to a small scale ICF/MR who is determined to be ineligible, or who is without a of eligibility by the preadmission screening sheltered care rate will be payment in full for all program, capital and support costs. Payment for services for each client who has not been found eligible for the ICF/MR program upon admission will terminate 30 days following the process, will be set at the sheltered care rate. for such clients. Reimbursement determination

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for such a client which is paid to the facility beyond the next facility payment or other date of admission. Reimbursement for residential services 30 day period following admission will be recouped by Department from the

total per diem (including capital and support) calculated for eligible clients with mild, moderate and severe/profound levels of overail functioning and the Department's sheltered Care rate for clients admitted without previously decermined services as determined by the IDT or IOC process, and remain in the facility for more than one year following the date of The facility rate paid will be the weighted average of ICP/MR eligibility, or who are ineligible for contractual time period. ú

If a client requires nursing services due to a physician's the determination of ineligibility. Licensed Nurses 23

plan of care, reimbursement is calculated according to The FTE nurse to client ratios fever beds, are also used for a set of small scale ICF/MR facilities as identified by the provider agreements (see 89 which are specified for ICP/MR facilities with 16 or Section 144.275(a)(2)(D). Ill. Adm. Code 140.561(a)).

The total reimbursement amount for Minimum Staffing is the sum of licensed nurse component is computed according to the method in Section 144.275(a)(2)(E). The

the amount for Direct Services staff plus the amount for Licensed Nurses. 3

(Section (OMRP) Qualified Mental Retardation Professional 144.275(b)(l)(A), (B) and (C)).

Active Treatment

(q

A) The reimbursement amount paid is based on sixteen clients in The amount for QMRPs is based on a required full-time QMRP for every 15 clients. The number of QMRPs shall be obtained by dividing the number of cilents in the facility an identified set of 4-person and 6-person ICFs MR

IDT services per year for each client. This amount is computed 141.275(b)(2)(B)) - The amount for services rendered by the IDT is based on one day Interdisciplinary Team (IDT) (Section method in Section 144.275(b)(1)(D). to be \$1.82 per client per day. 5)

paid for QMRPs is computed according to the

The amount

The total reimbursement amount for Active Treatment is the sum of the amounts for QMRP and IDT. Related Costs

1) An amount per client per day will be paid for other program costs, including program related supplies, consultants and other items necessary for the delivery of active treatment to clients in accordance with their individual program plans.

NOTICE OF ADOPTED AMENDMENTS DEPARTMENT OF PUBLIC AID

- Add the amount determined for subsections (a) and (b), but exclude the amount for the IDT. Multiply this sum by the factor determined for the facility's MSA grouping. The product plus the this amount will be determined as follows. amount for the IDT is then multiplied by the constant of .20. each facility,
- This amount will be determined by adding the flat per diem treatment up to once every six months, and periodontal services An amount will be paid for dental services that are in compliance with the Health Care Financing Administration's regulations (42 above. This per diem will cover the costs of prophylaxis 483.460(e), (f) and (g)(1994)) for each client age 21 or of \$.30 to the amount calculated according to subsection 200 3
- for emergency dental services pursuant to Section 144.275(d)(4). Total Program Per Diem Total program per diem for each small scale residential facility will be the sum of the amounts from subsections (a), (b) and (c) of this Section. (p

as needed for each eligible client. An amount will also be paid

Red. ALM 2 & TOOR (Source: Amended

effective 9072

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- NOTICE OF ADOPTED AMENDMENTS
- Heading of the Part; Medical Payment Code Citation: 89 Ill. Adm. Code 140
- 2)

Section Numbers:

3

140.642

Section 12-13 of the Illinois Public Aid Code (305 Statutory Authority: ILCS 5/12-13] 7

Adopted Action: Amendment

- Effective Date of Amendments: June 28, 1996 2
- Does this rulemaking contain an automatic repeal date? No (9
- Do these Amendments contain incorporations by reference?
- Date Filed in Agency's Principal Office: June 28, 1996 8
- March 22, 1996 Notice of Proposal Published in Illinois Register: Ill. Reg. 4531) 6
- Has JCAR issued a Statement of Objections to these Adopted Amendments? No 101
- Differences between proposal and final version: The following changes have been made in the text of the proposed rulemaking during the public comment period.

Subsection (a) has been entirely replaced by the following language:

nursing featility services agant be screeded to determine his or her man for those services pursuant to this Section. Any individual who has been admitted to a mursing facility that operates index the Rospital Lorensing Act 120 1008 and or man operates of the Alternative Resits Gate Delivery Act (20 1008 3.15) whose screan Attentive Resits Gate Delivery Act (20 1008 3.15) whose screan and the control of the any individual, except those identified in this Section, seeking admission to a nursing Eacility licensed under the Nursing Home Care Act (210 ILCS 45) for length of stay in such a facility exceeds 21 days shall be screened to facility For the purposes of rais Section, "nursing facility" means a location licensed under the Mursing Home Care Act (210 ILCS 45] as a skilled or intermediate nursing facility, or a location certified to participate in the Medicare program under Title XVIII of the Social Security Act (42 U.S.C. 301 et seq.) or the Medicald program under Title XIX of the Social Security Act. individual's need for continued nursing Beginning July 1, 1996, subsection (c) of , t determine services.

In subsections (b)(1) and (b)(3), "DOA" has been changed to "DoA".

NOTICE OF ADOPTED AMENDMENTS

Subsection (b)(4) has been entirely replaced by the following language;

applicants of Medicaid services who are already residing in the

facility and were admitted after June 30, 1996, the Department will review and evaluate a copy of the most recent Minimum Data Set (MDS) DORS or DMHDD, as appropriate, any light need resident who appears to The Department will refer to be a potential candidate for community placement. resident assessment instrument.

deleted. "Individuals with exceptional circumstances are subject to utilization language has been subsection (b)(6), the following review as described in subsection (f)." At the end of subsection (b)(8), the following language has been deleted, "...or authorizing to pay for placement in the facility".

In subsection (b)(9), the following language has been deleted, "However, seeking admission to a nursing facility that Medicaid payment for nursing facility services shall be denied if the screening done at the time of application for Medicald does not support the need for nursing facility services." screening agents shall inform each non-Medicaid individual

Subsection (c) has been revised to read, "A screening assessment does not apply to an individual who:".

New subsections (c)(3), (4), (5), (6) and (7) have been added as follows:

- resided in a facility for a period of at least 60 days and is returning to a facility after an absence of not more than 60 days; or 3)
- is receiving or will be receiving hospice services; or 7
- is admitted to a nursing facility from the community for respite care for a period of no more than 15 days; or 2
- is admitted to a continuing care retirement community with which the individual has a life care contract; or 9
- is readmitted to a facility after a therapeutic home visit; or

as The original subsections (c)(3) and (c)(4) have been relabeled

subsections (c)(8) and (c)(9).

Code 300.APPENDIX A" has been changed "77 Ill Adm. Code 300.Appendix A". In subsection (d), "77 Ill. Adm.

Subsection (e)(1) has been entirely replaced and new subsection (e)(2) has been added, as follows:

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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- for nursing facility services may be made for individuals No payment
- have been determined eligible or have applied for Medicaid at the July 1, 1996, unless both the screening assessment and a physician's certification, as described in Section 140.514, document a need point of admission and are admitted on or after for such care; or
- were residing in the facility on, or apply for Medicald while residing in the facility after, June 30, 1950, unless a presidiaty scient or documents at need for such care. 8
- Where the assessment or the certification do not establish this need, the individual may request that a licensed physician designated by SPA review the medical reports and any other evidence the individual wishes to submit, and certify whether there is a need for nursing facility services in the individual's case. The individual will be notified of the right to this review. 2)

The original subsections (e)(2), (e)(3) and (e)(4) have been relabeled as subsections (e)(3), (e)(4) and (e)(5). New subsection (e)(5) has been revised to read, "For an individual who applies for Medicaid after admission to a facility, DPA will begin payment on the later of:".

All of subsection (f) has been deleted.

The original subsection (g) has been relabeled as subsection (f).

No other changes have been made in the text of the proposed amendments.

- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes 12)
- Will these Amendments replace Emergency Amendments currently in effect? 13)
- 14) Are there any Amendments pending on this Part? Yes

	1.22	122	5448
on	Sed.	Red	Red.
Illinois Register Citation	5 (19 III.	S (19 Ill.	(20 Ill.
s Regis	25, 199	25, 199	2, 1996
Illinoi	August	August	April 1
Proposed Action	Amendment	Amendment	Amendment
Sections	140.7	140.9	140.539

Summary and Purpose of Amendments: These amendments describe universal screening for nursing facility services, as required by Public Act 89-21. 15)

disability or severe mental illness, regardless of income, assets or persons seeking admission to a nursing facility to determine if there is a reasonable basis for suspecting that he or she has a developmental payment source. Long term care coverage under Medicald will not be provided for a Medicald eligible individual being admitted to a facility 1, 1996, universal screening will be required for all when a determination is made that nursing facility services are not Since all of the changes that have been adopted in Section 140.642 pertain to nursing facility services, current language in this Section concerning ICF/WR eligibility criteria nas been adopted in related amendments to 89 III. Adm. Code 144, Developmental Disabilities Services.

medically necessary.

It is anticipated that these amendments will result in a withdrawal of Medicaid payment for individuals who are found to be inappropriate for The fiscal year 1997 savings are expected to be approximately \$1.5 million. nursing home care.

Information and questions regarding these Adopted Amendments shall directed to: 16)

Bureau of Rules and Regulations Joanne Jones Address: Name:

100 South Grand Avenue East, Third Floor Illinois Department of Public Aid

Springfield, Illinois 62762 (217) 524-0081 Telephone: The full text of the Adopted Amendments begins on the next page:

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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (20 LLGS 2215/Art. III) and implementing and authorized by Articles III, 19, V, VI and Section 12-13 of the Illinois Public Aid Code (305 LLGS 5)Arts. III, 19, V, VI and 12-13].

SOURCE: Adopted at 3 III. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 III. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum amendment at 8 Ill. Reg. 580, effective January 1, 1284, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective Rebruary 22, 1984; amended at 8 III. Reg. 5262, effective April 9, 1984; amended at 8 III. Reg. 6785, effective April 27, 1984; amended at 9 III. Reg. 838, effective May 9, 1984; amended at 9 III. Reg. 839; effective May 9, 1984; amended at 9 III. Reg. 7259, effective May 16. 1841 energency amendment at 8 III. Reg. '910, effective May 12, 1384, for a massim of 150 days, amendmed at 8 III. Reg. 150, effective June 1, 1394 amended at 8 III. Reg. 150, effective June 18, 1384; emergency amendment at 8 Reg. 1815), effective Seprember 13, 1981; amended at 3 111, Reg. 21529, effective October 19, 1984; peremptory amendment at 3 111, Reg. 21577, effective October 24, 1984; amended at 8 111, Reg. 21977, effective October 24 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg.

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at 9 Ill. Reg. 407, effective January I, 1885, for a maximum of 150 dayss amended at 9 Ill. Reg. 5839, federive Pabergy 22, 1985; amended at 9 Ill. Reg. 6839, federive April 1985, amended at 9 Ill. Reg. 687, effective May at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 111. Reg. 25067, effective December 19, 1984; emergency amendment III. Reg. 10025, effective June 26, 1985; emergency amendment at 9 III. Reg. 11403, effective June 27, 1985, for a maximum of 150 days, amended at 9 III. Req. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 II). Rep. 1339, effective Suprember 3, 1985; marded at 9 III. Rep. 1464; effective Suprember 13, 1985 suprember 3, 117, Rep. 1833, effective October 4, 1985; marded at 9 III. Peg. 1612, effective October II, 1987; amended at 9 III. Reg. 19138, effective December 2, 1955; amended at 9 III. Reg. 19737, effective December 9, 1985; amended at 10 III. Reg. 238, effective Docember 27, 2195; energency amendment at 20 [11]. Reg. 198, effective January Ll. 1986, an maximum of 150 days amendea at 10 [11]. Reg. 52, effective January 6, 1986; amended at 10 [11]. Reg. 1256, effective January 13, 1988, amented at 10 III. 8eq. 304), effective January 24, 1336, amented at 10 III. 8eq. 6815, effective April 30, 1368, effective Air 10 III. 8eq. 815, effective April 30, 1986; amended at 10 III. 8eq. 815, effective Air 1, 1868 Days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 1521, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, Reg. 18808, effective October 24, 1986, amended at 10 III. Reg. 19742, effective November 12, 1986, arended at 10 III. Reg. 21784, effective December effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. 15, 1986; amended at 11 III. Reg. 698, effective December 19, 1986; amended at effective January 16, 1987; amended at 11 111, Reg. 4002, effective February 25, 1987; Section 140.71 recoditied to 89 III. Adm. Code 141 at 11 111. Reg. 4302; amended at 11 111. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg.7664, effective April 15, 1987; wmergency amendment at 11 III. Reg. 3342, effective April 20, 1987, for a maximum of 150 days; amended at 11 III. Reg. at 12 III. R8g. 916, effective innary 1, 1388; emergency amendment at 12 III. R8g. 1800, effective Johnary 1, 1388; one amazimum of 150 days; amended at 12 III. R8g. 95. 475, effective March 15, 1988, amended at 12 III. R8g. 6786, effective March 15, 1889, 6786, effective March 15, 1889, effective March 15, 1889, effective March 12, 1889, effective March 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, 3169, effective April 28, 1987; amended at 11 III. Reg. 19903, effective June L. 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1387; smended at 11 Ill. Reg. 12230, effective July 6, 1387; amended at 11 Ill. Reg. 14048, effective August 14, 1987; emended at 11 111. Reg. 1471, effective Atquist 25, 1987; amended at 11 111. Reg. 16758, effective September 18, 1987; amended at 11 111. Reg. 17295, effective September 30, 1987; amended at 11 11. Reg. 18696, effective October 77, 1987; amended at 11 III. Reg. 20909, effective December 14, 1987; amended amendment at 10 Ill. Reg. 8312, effective May 13, 1986, for a maximum of Reg. 18808, effective

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1988; Sections 140.900 thru 140.912 and 140.Table H and 140.Table I recodified 10.89 III. Adm. Code 147.5 thru 147.205 and 147.7able A and 147.7able 9 at 12 III. Reg. 65954 amended at 12 III. Reg. 6527 feedlettee A thru 145.125 at 12 III. Adm. Code 149.5 thru 149.135 at 12 III. Adm. Code 149.5 thru 149.135 at 12 III. Reg. 7405, effective applianced at 12 III. Reg. 7655, effective applianced at 12 III. Reg. 7655, effective applianced. effective June 14, 1988, emergeory meendment at 12 111. Reg, 11868, effective July 1, 1988, for a maximum ond 150 daysy meended at 12 111. Reg, 12509, effective July 15, 1988, amended at 12 111. Reg, 1427, effective July 15, 118.300 e. 13 11.1 Reg. 5572; emergency amendment at 1111 Reg. 105977, effective 0.09 1.1895 excited blownings. 20 1893 assets over excited blownings. 20 1893 assets of the control of th 11. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 111. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 .988; emerçency amendment at 12 Ell. Reg. 16921, effective September 28, 1988 for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17979, effective October 24, 1988; amended at 12 11. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1390, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a 150 days; amended at 13 Ill. Reg. 16992, effective October 16, maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 1, 1990, for a maximum of 150 days; edecise versied August 29, 1990; emergency amendment at 1111, 8eg. 1865, edecise versies profits of a manufacture per 1111, 1862, 1111, edecise versies per 1111, 1862, 1111, edecise versies per 1111, 1111 maximum of 150 days; amended at 14 III. Reg. 13262, effective August 6, 1990; emergency amendment at 14 III. Reg. 14184, effective August 16, 1990, for a effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7219, effective April 27, 1990, for a maximum of 150 days; amended at 1111. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 14 Ill. Reg. 5575, effective April for a maximum of

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a maximum of 150 days; amended at 14 Ill. Req. 14826,

1939. #Gentine Appara 15.391. Gost anthum of 10 date; sectoring expected the process of the proc 150 days; amended at 16 111. dec. 1316, effective Operance 11 112, nameded at 16 114 per 1939) amended at 16 114 per 1939) amended at 17 112, nameded at 17 114 per 1939, amended at 17 118 per 1939, amended at 18 118 per 1939, 16 III. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 III. Reg. 15109, effective September 21, 1992, for a 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 III. Reg. 18508, effective Coctober 30, 1990; amended at 14 III. Reg. 18813, effective Noveber 6, 1990 amended at 14 III. Reg. 20478, effective December 7, 1990; amended at 14 III. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective III. Reg. 6220, effective April 19, 1991; amended at 15 III. Reg. 6534, effective April 30, 1991; amended at 15 III. Reg. 8264, effective May 23, 1991; max.mum of 150 days; amended at 15 111. Reg. 15561, effective September 30, 1992; amended at 16 111. Reg. 17302, effective November 2, 1997; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of III. Reg. 7004, effective May 17, 1993; expedited correction at 17 III. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September December 28, 1990; emergency amendment at 15 111. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 111. Reg. 1051, effective January 18, 1991, Section 140.569 withdrawn at 15 111. Reg. 1174; amended at 15 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg.

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maximum of 150 days, amended at 17 Ill. Reg. 18152, effective October 1, 1993, for a naximum of 150 days, amended at 17 Ill. Reg. 18571, effective October 9, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a mannided at 17 III. Reg. 15999, "detective November 24, 1991; emergency attendent repealed at 17 III. Reg. 15899, "defective Devember 20, 1991 smended at 18 III. Reg. 1809, effective Rebriary 78, 1994, and and and at 18 III. Reg. 1450, defective Nacrol 4, 1994, manned at 18 III. Reg. 1592, "defective play 1, 1994, for a maximum of 1.00 days; emergency amendment suspended, effective November 15, 1994; emergency amendment repeated at 19 111, 8eq. 1893; effective physics, amended at 18 111, 8eq. 1111, 111, 18eq. 1124, effective July 1, 1943; amended at 18 11, 8eq. 41126. effective August 29, 1994; amended at 18 III. Reg. 16675, effective November 1, 1994; amended at 18 III. Reg. 18059, effective December 19, 1994; amended at 19 effective March 1, 1995; emergency amendment at 19 III. Reg. 1519; effective March 1, 1995; (or amaximum 15 0 days amendment at 13 III. Reg. 5653. effective applil 1, 198 memorded at 19 III. Reg. 7919; effective June 3, 1995; emergency amendment at 19 Ill. Reg. 3455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 111. Reg. 3297; gffective July 1, 1995; 200 maximum of 10 days; emergency membens at 21 pl.11. Reg. 1925; effective 301y 1, 1995; for a maximum of 150 days; amended at 19 111. Reg. 13019. effective September 5, 1995; amended at 19 III. Reg. 14440, effective September 29, 1995; emergency amendment at 19 111. Reg. 14833, effective October 5, 1995, for a maximum of 150 days; amended at 19 111. Reg. 15441, effective October 26, ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996, amended at 20 III. Reg. 5858, effective April 5, 1996; amended at 20 III. 259, effective May 6, 1996; amended at 20 III.g (9-90, 1922, effective May 18, 1996; amended at 20 III.e Reg. 1896; amended at 20 III.e Reg. 20 III.e R 111. Reg. 1082, effective January 20, 1995: amended at 19 111. Reg. 2933, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at maximum of 150 days; emergency amendment suspended effective October 12, 111. Reg. 15162, effective September 2, 1993, for a maximum JUN 2 8 1996

SUBPART E: GROUP CARE

Section 140.642 Screening Assessment for Nursing Facility bong-Term-Care and Alternative Residential Settings and Services

untilation facility agraphs must be extered of obscriptor 10 or mutation facility agraphs must be extered of obscriptor 10 or media being observations of the must be must be extered to the must be m Beginning July 1, 1996, any individual, except those identified aubsection (c) 15 fines Sections, seeking admission 10 a nurse facility licensed inder the Wizsing Some Case Act 210 ILCS 451 a

NOTICE OF ADOPTED AMENDMENTS

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defection the individuals are described months of periods described to the continued months of the con

mobility: self-direction; depactor for independent liming.

Particulation of the control of the

living activities: Nork related skills. If the Level I ID Screen indicates that an individual may have the Level severe MI, a comprehensive assessment, LO. 2

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assessment, except as defined in subsection (b)(7), is conducted by 2MED0 designated preadnission secenting (plks) agents concerning the need for nurshing factility services and the need concerning the need for nursing facility services and the need for specialized services.
If the favel I ID Screen does not identify a reasonable basis for

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Busherlin Dr. Greener M., Inchristian and Controvers - Inchristian and John School Control of States of App or Coletion of Dries and Control of States between a coletion of Dries and Control of States and Control of Stat community placement.

A Screenin assessment is waid for 30 aalandar 3ays from ne date of the assessment. For individuals and 100 to seeze Wir an date of 10 seeze wir an date of 10 seeze war and 10 seeze was seeze was seeze was seeze was seeze with the control of the seeze was s days when the designated OMBDP PAS agent indates any component the assessment which is not current, and confirms one validity assessment as reliably reflecting the status of 3

Due to ercetional circumstances, an individual identified as maying determined to need nutsing. Toolings in manying determined to meed nutsing. Toolings services. The individual services of the following services to determine the individual's need to specialized services teleted to placement in a nutsing declining services. Specific circumstances noted in subsection (b)(7). Exceptional circumstances include, but are not limited to:

A) remninal illness with a life expectancy of six months or individual.

Convalescent care (a medically prescribed period of recovery, following acute care, not to exceed 120 calendar despity and less: and

severe physical illnesses, such as cona, ventilator dependence, functioning at brain stem seed or diagnoses such as chronic observer outhonsky ilsesse, Parkinson's such as chronic observer outhonsky ilsesse, Parkinson's 3

disease. Sinceroso, a jesse, morrano ilvesa.

D. alianda and conselve bear aliane medical since and allowed as a lianda and conselve bear aliane medical since and aliane medical since aliane medical since and aliane medic d

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must be based on a Level II assassment. Screening sents small present alretnatives to institutional Slacement, and inform individuals of alternative settings before ending further assessment in cases of delirium where an accurate diagnosis cannot be made until the delirium clears. In all other cases, a determination that specialized services are not needed

- Non-Medicald supported individuals who choose to be admitted into a nursing facility when the screening assassment does not justify nursing facility placement will not be denied access to the placement into a nursing facility. 61
- reansfers from one facility to another, with or without as intervening organish stay, it is the reansferring facility. responsibility to ensure that topies of the residents mos is receiving or will be receiving sneitered care services; or A screening assessment does not apply to an individual who:

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- recent screening assessment accompany the transferring resident: returning to a facility after an absence of not more than 60 resided in a facility for a period of at least 60 days and 3
- is receiving or will be receiving hospice services; or
- is admissed to a nursing Eacility from the community for respite s admitted to a continuing care retirement community with which care for a period of no more than 15 days; or
 - is readmitted to a facility after a therapeutic home visit; or the individual has a life care contract; or
- is readmitted to a facility from a hospital to which he or she was transferred for the purpose of receiving care; or 9) resided in the facility on June 30, 1986. Wusing Scallty Services
 7n Illinois, many

nn illhous, nursing facilities are licensed for intermediate leval nursing care. Dr. guidelines to the vive of services provided byte unraing care. Dr. guidelines to the vive of services provided by nursing facilities refer to 77 Lil. 3dm. 300.Appendix A. Code 쉬

have been determined eligible or have applied for Medicald No payment for nursing facility services may be made for .ndividuals who: Date of Payment

a

- physician's certification, as described in Section 140.514, 1996, unless both the screening assessment and at the point of admission and are admitted on or after document a need for such care; or
 - a physician's certification documents a need for such maker. Where the assessment or the certification do not establish this need the individual may request that a literased physician need the individual may request that a literased physician were residing in the facility on, or apply for Medicald while residing in the facility after, June 30, 1996, unless

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evidence the individual wishes to submit, and certify whether there is a need for nursing facility services in the individual's reports The individual will be notified designated by DPA review the medical NOTICE OF ADOPTED AMENDMENTS case.

- For an individual whose preadmission screening assessment and physician's certification have open completed order to admission and document one individual's need for such services, DPA will begin payment:
 - the date of admission if Medicaid eligibility has been on the reginning date of Medicard Bligibility if eligibility established, or
- For an individual whose presimisaton sorreging assessment and seen completed prior to physician's certification have not been be admission, DPA will begin payment on the laver starts after the date of admission.
 - the date that the screening assessment sequirement is met, the date that the physician certification requirement is
- For an individual who applies for Medicaid after admission to a facility, JPA will seqin payment on the later of the effective date of Medicard eligibility. net,
 - date that the poysician destification requirement is B) the effective date of Medicaid eligibility. Annual Resident Review
- All Medicard eligible residents found to be MI or DD shall be reviewed by the Arc I is adequate amountly. Annual 1965/901.2010.00 and by federal requisions found under 12 CPR 93.111. The federal required required to the resident review relidents the presence of MI or DD and determines whether the individual requires the level of services by a nursing facility and wnether the individual requires specialized services.
 - 阿里拉西里一七四一七路是一座在中海的时代中国中中四部一〇年一中海少洲是八十一七十一一日南沙南西北京是沙村一日第一岁出的北方西一条中西市 1.40mm - 1. 10个,我们们一个时间的不可能的的一位时,我们一个有一个的,我们们的时候,我们们的有效的有关,我们们们的一种是不会的的数据的一个对象的是一个对于一种的数据 の子とのなっては一分を占すられたは、ののなずとなるの・そののは、まなれたこともは、とのなり、なったのとととなく、このとのターののです。 やもやだく」の「小なのからなからない」とののか、「かのかなかなかののものものかったののか」のののかかのなが、これなどは一大凶な大仏の子のかかだ。」の「かっからなからない」というという。 Box-such-sections-unstable 4
- 中からはないますのはない。このは、このは、このは、このは、または、こののでははは、回ることできます。このは、このはないできます。 who-need--nunsang--dackkty--care--and--do--nct--appear--ro--nave eabseathten-(e)(t)-of-this-Sectionly-ane-assassed-thisough-DOA--and

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The trades --- BONY MR-- reset -- the sale-- the sale-- the sale-- are the -- sale-- the であると、これののでは、日本のでは、日本のでは、日本のでは、日本のでは、日本ののでは、日本ののでは、日本には、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本には、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のではは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本のでは、日本の

- の中型が1-14の1-1-中心中心をもしておからかけなりののはでしてもながいしておおりだめなりかが1-1かだらだかななりの「内か」は「中心を含むして POOK -- HOT -- HOT DECARE AND AND HOUSE HO の中では一年の一十の中十年にいけなりののは、中ののでは、日ののの、日のののの、日のでは、日のではなりなっていました。 4
- 합의하다 10 인천이 - 최신하는 바람이 - 이 이 시간에 보는 아이를 하는 것이 되었다. 그 아이들은 그 그 아이들은 그 나는 사람이 나를 하는 것이 되었다. 그 사람이 나를 하는 것이 되었다. 4のにおしたののだり一句とのでである。 100mのできない - 100mのできな

- 19 an an agoricant for or other twentof Medicatd services y requests to De--sdmitted--to--a--SNP---FEP--et-REP-and-std-not-previousky durking-che-68-days-pures-to-sucer-ettgabathathy
- testide : in a sectit to y texcept se described in fd)-of-this-Section; ++
 - ******* ‡
 - おの一を申れ合せ一切の上所をとものこれを申れ申申申申申しかのとを見るのともだむしか信 +5
- その北京一州南北市中央市内の中一名の「おり山」中央のイガがから「かか」からは「おか」からからののからのでしたのできなからなっています。 t
- おのこの形形のお外になる一般をある一切をなるないのだの一切のなからのかないましましてなると D1900年は一十十十年11月1日 - 10日 - 10
- のネーーのボスート小のカワルナルのボヤーーのの「はのか」ならなかなからなったのだ」のかっただらだりのもののの一切にかなかかなものしてもなった。 4.000米一切分数一面看看有不可有的一张光上四回出一样的一样的一个时间出一样的第一看小孩子的不是有一种一种一种

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ts-absent-from-the-factitty-for-88-6ays-or-more--for--thetabeutic Leave-(Section-1487523)-sporoved-by-the-Department-and-resumba-to トライナののは一つののの一つのは一つなり一つのは一つのとしてのなる一つのののとしなる なな場合し上の大の上した1-05-00mの一切なーなどの一方のことののととなってい +

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- 王を一ちのを一ちのとのよーボードのこうのこののことのなってのはなっているなっているようななないのとしののゲードのインののグルー・コ #assessmency---ts--conducted--by--BMRBB---destgnated---PAS---agents できることのことではの一ちものなかれるのとからながらのなりのなかのなかにしなられて一つのものことのないことかなればなるのならのな mental--retscatten--or--s--retated--condittion--do---not---seed appectablesses - services: - Phe-thdiatytotablesses - sections - s se-98-sad-xao-ka-age--69--08--36xy--akeca--age--eospectsitied -- services - The -individual-is-then-referred-to-388-for nospitation-or-nareates t (N
- #f=-the-Seyei-F-FB-Screen-does-not-identify-a-reasonable-basis-for 800RS-for-a-36N-te-assess-the-need-for-nursing--factitity--services Sdreentrag: Schiowing-the-Devel-EE-gassessing +

- Bite-10-4x0eptronal-11toumeresoesy--en-12drytdaak--tdentribited--as たの---Deed---Detrate 10 --- 10 et 1-- 10 et 1-1 10 et 1-1 10 et 1-- 10 et 1-- 10 et 1-1 10 et 1-1 10 et 1-- 10 et 1--のもひととなるを――如ものと中でもののの――ならもの――のももの――の「おおりなととなると」」ののな!――ものともことなってものでしなり りを作られる――少上はのを対象でなせー・トコー・キーのなけなれたの一点ののトミナナットをおののおもったの――のなをのなる子の Sxceptionsi-circumstances-incirde--cut-are-mot-id-id-to-申申はなけるのも、○年・申・日本はななるのもののもととをといる。 4+
 - ものこのおお花のボースでの一切り一入りたのかりを白とを一を切や小……のトーだかとスートののをたっかで! 一切のたと思いない
- dependencey-suncertoning-serenates-step--beyer--dragnoses の下にからのですというの。トルのののののではでしたとのないのが、また、これのののないのでしょうかのないになり、これできました。 かりしの山本をわれて一下で見なり……のの……だりかの……下のかのののだ山木を……」というなかのかだれ………なりなかなかの 小小の人をでしたのですしからないできませんとしているとなっていることをしまるのでは、100mmmのできませんできません。

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No-sections in a construction of the construct DCS-Bendantanen-Arenatanantanan-A-kakong-basa-Beng-bendakanen-ekanden-ba 小型中央公司中国中心,大小平的社员经历的一方式是一位的下下的电影中外的电影中国的OCA中国的中文的证据——中心中的电影电影中心 +

BPRイニカルーのため、山下ルマルーがあたよったようになったインのののには一はこのとのあたちニーなるのいのというというできます。 のやーーロに参加をかせのもの・1を引用されているをかし、そのというのの方があることのからない。 (表現の)・1ののの 1とののとなったない (の)・1のできた (の)・1 CODESTER - I A CONTROL OF THE CONTRO **心思の上のだけがだから」からかかり」からからかからなり、からなり、中のこうでからなし、中人でからからならない。** 下午のことのはなるのかのこのかしかなけれなかけれるなしなだれなからの +5

Need-for-ESS-MR-Services

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68日本中的公司一大四国中国人,由于1911年中国大学,由于1911年中国工作中国工作中的工作。1911年中国大学工作的工作中国大学工作的企业工作的企业工作的企 #因此本資本の主命第一字の子の字一句書「中書」の言の「中の言を「中国の言を」の文化「明正の語の」の第一語の方の字(一字本語の) ©型上4月0日上午的10日日的水源上各位的日本市中的大学生大学的人员的人员的社会的工作的的人工的工作的人的工作。 电影影上部的复数 2、中国的各种的特别是是这个一种特别,他们的人的现在分词,我们们们的是一个的,我们们们的对象,我们们们们的对象的是是 まちななからは、ままなななのである。 はっちゅうしゅうじゅうきゅう

200 - 100 - かの世界を見られていましたというとものは「何かから、一句をしかがなったのないかなかないとなっていませんとなるないのなかなななかならならならなった。 不知的社会的经验的,也是不可能的证明的不错的一致的一个的证明的是——不可以不知识的——不是可能——也是这一一都是这一一的的现在是对他的

下の行わからかのこのとだけした中でであるかないののでしかのおからからしのだしかなななどな Need-for-Jen-WR-tSNE-DEB-Ereensey-Services

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individuals -- who - are-under-the-age-of-Si-at-the-time-of-admitsion to-the-facitity-

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The need -- for -- such -- services -- shall -- be -- established -- through -- a condition--requiring--ekiliked--level--nursing-cares-or-has-mestal retardation-or-a-retated-condition-and/or--a-regere--medicat--as physical-disability-or-a-combination-of-severe-disabilities:

Need--ros--Narsing--Fecility-Services----ghe-need-for-narsing-facility--y services-snakk-pe-estabitshed-by-an-assessment-fa-BBNy-see--subsection 1

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THE TRANSPORT OF THE PROPERTY 三日日本ヤナの日本は日本の一一年十十日の日本十十日の日一一日の日日からの日の一十日の日はカロコー一方面の大の のようのかかかのの一ものでは3一番ののかとなるのであれるからのかのかりしからなかの――おの「一をなるの」」ではなるおおに そのはなななしのでしかなどのようのなが、このなるとならなるとのなっているのであるとしてあるながなない。 tndeoendent-lavang-in-tne-absence-of-such-care--and--con--oe Made---aysakireoke---onky--tarosagh---ansakkathásnak--sagakkkatasa-Hedrosk-dryection-sre--sportortate---Ser--kntersedisce--level Skilied--f8NPt-level-nursing-care-is-that-needed-for-sedical dondittions -- requirement -- Rename -- number- one re- -- one re-bedinast-patrentsy-and-care-for--those--in-meed--of--special nedical--equipment--or-constant-menttoring-by-a-professional nurser--A-need-for-a-htgh-level-of-personal-care--assistance does - port - seet-the - critterta - Set-skinked-keyek-capter ÷

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近かれた――かだもだるからのかだか―中での一たのかからものなかなかがに、――かたったのかからた方に「小なからのの **可是有一个的是不是不是有的是一个的是有不是有的的的,也是这种的,我们们的不是不是是一个的一个是是不是有的的。** education-regarding-shorto-and-sassignes-abaseresponstatttttes---tt-ery---cleantngy---kandryy---meat **おなおないのはのけなっ!!!のおは、!!」となけかな!!! ひゅんのかけのかのか・・・・ なねの・・・のち** independentiyy ---recognicing ---shd---avoiding---commen 1・のももなからもの一かわれたが同じのも一切の1-1のカーリだり - トのらもならなり

だかれた!!!!の自分だのどの小な名がもな!!!!」とおかかもなかなものなが!!!!」とのももだれなななか たかいけんのはなり--のにのようなないのないとし、そのなが -- ななのがし - のはののなけれたのはのとしのひ とももの---のかーかから出来のなる-トララのなかなかなかなかののできないないないのです。 ひにのしゅん おかなかなかなか 母され上上十分一つのコーニののカーニテをお上からなからのコープのののトーロのの上のナットーを見られる

型の火のおよのななーーできまなどがからななからなーなのでくからのの一点のからないののしかののの一つからななななながらなったから individual-s-ability-to-function-vith-as-andh-self-determination and--independence-ss-possible---Phese-services-are-individualited 上の子がみとのことがなるとにもなる一切にの一切になかなかとしたがにおりませな **‡**

ILLINOIS REGISTER

OF PUBLIC ALD DEPARTMENT

NOTICE OF ADOPTED AMENDMENTS

Bre--sessessessesses--processe--beads---cr---cr----cassesse--processes---and トのもののに上げたのこのだかなどのかなからの下れなりできたからない」としてしました。 しんじゅだのののののない 三小ななのかないなななな 0.000 电影第一个电电影的多数电影工程的工程的电子和线电池工电影的工程影响工电视或时间的变形形式工程的自己的自己的主要或工程的工作的电影的电影

・中で日内でもつーの中のイナを中心したられたとしの前一日だれのもまだしならむし申りおける自己なななる。

+5

中の日の日本とのできないない。1990年には、1990年 上京をおせてもの一日とのでをお出るかの前一品に有利の数数数 ÷

电影中于上面的上面的时间电影的时间,那是他们上面的时间的时间都是一种不同的行动的电影电影中的时间的目光的影响。 Date-of-Feyness ++

の出記作!」またかしたかなましのかありしのはしなかか出来しなかりがかしないのできないしたがだしかなのだのかのかのかし内内しなるとなり をおかり、1回り 1 - 1 からかけからがかり - 1 をだかり - 1 の数からがになり - 1 となっていないかがく - 1 かかがく のかのとのかく はらかだな ŧ

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- 年のかのかりかび-からの100mののののののではないのかのからないのである。 からのからない - 小のコウナストロロない - 中部の一部形 No-payment-for-cong-tesm-care-services-may-se--cate--cate--ののートにの小かのからいかからもの!の!たのかかかかかかかりーーの! ロビガーーからのだののものののトーサだからものもなしの!! もだか t an

ののになり 1 別はの一切にの一ののなりがあり、中ののようので、中ので、アライトのもっているしてものになれなりのなるのしてもになってある をおめてセートからだとした日本のものというだけの「たいのだらのの「かい」のものののファールをかりからなかだか」のだりしもしたものなるなかなな | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 10

"你只见!!你们们的也不是好呢!!你们一一有的时候的一个你也也要小你是有的一样中也的一个大说的!" 医自己口腔 医克里特氏性神经神经 日本でのなってはない。 イナニケーシャのようにのなりのです

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DEPARTMENT OF PUBLIC AID

WOTICE OF ADOPTED AMENDMENTS

- Por--an--individual-who-appites-for-Medicaid-after-admission to-a-facitteys +
- Ft-ta-the---Esctlity4s--responsibility---to--immediately initiate---sereesing---activities--by--contacting--the appropries-sersesing-sgenti---Agents---regulines---GOBUTAND -- BOTTON -- BOSE BOSE BOTTON - TO -- BERON -- CHITCE BOTTON -- CONTINUE BOTTON *全た力を第一分の一つなどの内のなけージャグの一条は少のキートとからしかがとなるのとののなのののとなる +
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 - Medicaid-appitemetiony-payment-witi-be--made--drom--the the - - factitty - - to - - tontact - - an - - appropriete - - actempts のなられたとしないのですのでは、またのでは、またのでは、またのでは、これのでは、1000では、1 88--days--seteer--Medrosed--appirecateony-ene-Department ****--not--begin--payment--unetil--che--date--chat---the effective-mate-of-Medicand-eligibility
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- to-a-SNFy-fEP-or-fEP-WRy-and-the--screening--assessment--snd physician-a--certification-inequirements-met-met-withban-38 OR THIS CARPOLOS - OF TRANSPORTED
 - on-the-effective-date-of-Medicaid-eligabilityy whichever-ts-parent
- Portantindividual-who-appites-for-Wedicaid-before-admission to-a-SNFy-REP-or-rep-WRy-and-the-serenting-assessment-andror の中ではないのかとしてのないかないかないのないとしてのなどがあるないない。 ありの - 120 fu - 12 fu ŧ
- 175031-1134-1-12814-1-11381-1-1138-1-18614-3434-1-1868-1-1868 はひのカートーの28年11 - 12年12年11年11日 - 12月2日 - 12日2日 おの一下のの前一のカーの行を行かれた対すがな

- - Patrones-res-patrones

effective 9081 a t JUN 2 8 1996 (Source: Amended

DEPARTMENT OF REVENUE

LLINOIS REGISTER

Heading of the Part: Payment of Taxes by Electronic Funds Transfer 7

NOTICE OF ADOPTED AMENDMENTS

- Code Citation: 86 Ill. Adm. Code 750 23
- Adopted Action: Amendment Amendment Section Numbers: 750,300 750.400 3
- Statutory Authority: 35 ILCS 120 4)
- Effective Date of Amendment(s): July 2, 1996
- Does this rulemaking contain an automatic repeal date? No (9
- S Does this amendment contain incorporations by reference?
- Date Filed in Agency's Principal Office: July 2, 1996 8
- March 29, 1996, 20 Notice of Proposal Published in Illinois Register: Ell. Reg. 5042
- Has JCAR issued a Statement of Objections to these Amendments?
- Differences between proposal and final version: No differences between proposal and final version.
- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- Will this amendment replace an emergency amendment currently in effect?
- Are there any amendments pending on this Part? No
- Summary and Purpose of Amendment(s): Section 3 of the Retailers' Occupation Tax Act (the "ROT") provides that a taxpayer who has an average monthly tax liability over the statutory threshold (and average monthly tax liability of \$50,000 or more, effective October 1, 1995) shall make all payments required by rules of the Department by electronic funds The Department currently requires RR-3 sales tax accelerated thresholds to be made by electronic funds transfer. PST-1 and PST-3 return payments for those taxpayers over the statutory threshold are also now required to be made by electronic funds transfer. This rulemaking amends Section 750.300 to effect this change. payments and ST-1 return payments of those taxpayers over transfer. 15)
- Information and questions rejarding this adopted amendment shall 16)

NOTICE OF ADOPTED AMENDMENTS

Associate Chief Counsel - Income Tax Illinois Department of Revenue Springfield, Illinois 62794 Phone: (217) 782-7055 Legal Services Office 101 West Jefferson

The full text of the Adopted Amendment begins on the next jage:

ILLINOIS REGISTER

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS TITLE 86: REVENUE

PAYMENT OF TAXES BY ELECTRONIC FUNDS TRANSFER CHAPTER I: DEPARTMENT OF REVENUE PART 750

Payments Required to be Paid by Electronic Funds Transfer Eligibility Determination and Taxpayer Notification Voluntary Program Participation Scope of the Program and Rules Definitions 750.400

Section

Methods of Electronic Funds Transfer Payment Payment Transmission Errors

Department Notification Requirement Due Date; General Provisions 750.800 50,900

AUTHORITY: Implementing and authorized by the Retailers' Occupation Tax Act [35 ILCS 1201.

SOURCE: Adopted at 17 III. Reg. 18132, effective October 4, 1993; amended at 18 III. Reg. 1511, Reg. 15612, effection October 11, 1994; amended at 20 III. Reg. 189111 Reg. 13514

Section 750.300 Payments Required to be Paid by Electronic Funds Transfer JUL 2 1996

1) Beginning on October 1, 1993, certain withholding tax payments a) Income tax payments

and estimated income tax payments will be required to be paid by electronic funds transfer. The threshold amounts are set by Beginning on October 1, 1993, a taxpayer who has an average monthly tax liability of \$150,000 or more under Article 7 of the Act shall make all payments required by rules of the quarterly estimated cax Act shall make all payments required by rules of the Department by electronic finals transfer. (Section 601.1 of the Illinois 15 and 25 Department by electronic funds transfer. Beginning October 1, payment obligation of 5450,000 or more under Article 8 of law, change over time, and are detailed below. caxpayer who has an average 1993. a

withholding liability under Article 7 of the TITA to an average monthly limbility of \$100,000, and, beginning on October 1, 1995, the threshold drops to average monthly liability of \$50,000. drops with

Beginning on October 1, 1994, the threshold for taxpayers with liability for estimated tax payments under Article 3 of the IITA drops to an average quarterly estimated tax \$300,000 and, beginning on of obligation payment (B

NOTICE OF ADOPTED AMENDMENTS

funds transfer in those circumstances in which it is cost-effective for the Department to receive payments by Department will only require payments by electronic electronic funds transfer is consistent with the Department's payments by quarterly estimated tax payment obligation of \$150,000. electronic funds transfer and where receipt of October 1, 1995, the threshold drops to tax processing capabilities.

Taxpayers over the statutory thresholds will only be required to make certain types of income tax payments by electronic funds withholding liabilities A) Taxpayers with income tax transfer.

e IL-501 All other withholding payments by those taxpayers shall be made by over the statutory thresholds shall make payments by electronic funds transfer. conventional means.

Corporate taxpayers with estimated income and replacement labilities over the statutory thresholds shall make IL-1120 ES payments and IL-505B payments by electronic funds transfer. tax 9

make IL-1040ES and IL-505I payments by electronic funds statutory thresholds shall income Individual taxpayers with estimated the over liabilities transfer.

Any other taxpayers not listed above who incur estimated income tax labilities over the statutory thresholds will, gpung upon contact by the Department, be required to payments by electronic as directed by the Department. est:mated subsequent transfer â

make

1) Beginning on October 1, 1993, the Department will require certain State and local occupation and use tax payments to sets forth the types of payments that must be made by electronic Subsection (b)(4) below State and local occupation and use tax payments be made by electronic funds transfer. (q

Beginning October 1, 1993, a taxpayer who has an average monthly 3150,000 or more shall make all payments (Section 3 of the Retailers' Occupation Tax Act (35 Seginning October 1, 1994, the threshold for taxpayers electronic ħ¢ required by rules of the Department ELCS 120/3| ("the ROT")) tax liability of funds transfer.

those taxpayers with average monthly tax Beginning October 1, 1995, the threshold for taxpayers required to make payments by electronic funds transfer those taxpayers with average monthly tax liability of \$100,000. Liability of \$50,000. 0 0 B)

required to make paymerts by electronic funds transfer

ILLINOIS REGISTER

NOTICE OF ADOPTED AMENDMENTS DEPARTMENT OF REVENIE

payments by electronic funds transfer in those circumstances in which it is cost-effective for the Department to receive payments by electronic funds transfer and where receipt of payments by electronic funds transfer is consistent with the Department's The Department will only require tax processing capabilities. 7

Taxpayers over the statutory thresholds will only be required to ST-1 return payments, PST-1 return payments and PST-3 return accompany a tax return (for example, ST-1-X return payments, 556 return payments, PST-3-return-paymentsy etc.) may not be paid Any other payments that make RR-3 sales tax accelerated quarter-monthly payments, payments by electronic funds transfer. by electronic funds transfer.

111. Reg. 91111, effective (Source: Amended at 20

JUL 2 1996 . Section 750.400 Eligibility Determination and Taxpayer Notification

required to make payments by electionic funds transfer. For all years after 1933, the Department will notify, oefore august 1, only those taxpares who Beginning in 1993, pefore August 1, the Department shall notify all taxpayers become required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer, and all taxpayers Taxpayers who use service groups or other agents to make tax payments remain authorization agreement for electronic finds transfer (Department Form ZCT-1). Service groups or taxpayers. All taxpayers required or permitted to make payments by electronic funds transfer shall make such payments for a minimum of one year oeginning on responsible for completing the authorization agreement. Service groups agents may not sign cemplete the authorization agreement on behalf accepted for voluntary participation in the program, must complete October 1.

III. Reg. 9111 (Source: Amended 2 1995)

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DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Retailers' Occupation Tax
- Code Citation: 86 Ill. Adm. Code 130 5)

Adopted Action: Amendment Amendment Section Numbers: 130.1501

New Section Statutory Authority: 35 ILCS 120

> 7 2)

Effective Date of Amendment(s): July 2, 1996

Does this rulemaking contain an automatic repeal date? No

Does this amendment contain incorporations by reference?

Date Filed in Agency's Principal Office: July 2, 1996

Notices of Proposals Published in Illinois Register:

3/29/96, 20 Ill. Reg. 5047 4/19/96, 20 Ill. Reg. 5774 4/12/96, 20 Ill. Reg. 5470 Has JCAR issued a Statement of Objections to these Amendments? 10)

Differences between proposal and final version:

En Section 130,310;

In line 228, struck excess period.

In line 331, lower case "the" and struck quotes to reflect current short title style. 5.

In lines 332, 345, 446 and 447, corrected ILCS site.

In lines 443-436, italicized statutory language

In line 444, omitted commas.

In Section 130,1501, line 364, changed comma to a semicolon.

In Section 130.1952;

1. In line 291, omitted period after cite.

DEPARTMENT OF REVENUE

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NOTICE OF ADOPTED AMENDMENTS

In line 295, changed "part" to "subsection"

In lines 282-284, italicized "a retailer" through "paid under".

In lines 318, 321, 324, 327, 330, 332, 335, 338 and 341, removed redundant language.

In lines 309 and 338, changed comma to semicolon.

In line 314, changed "quality" to "qualify"

In line 331, changed "are" to "is".

In line 344, corrected spelling of "qualify" In line 358, changed "amended" to "added". Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

Will this amendment replace an emergency amendment ourrently in effect? 13)

Illinois Register Citation Proposed Action Section Numbers

Are there any amendments pending on this Part? Yes

14)

6/14/96, 20 Ill. Reg. 7773 New Section 130.331 89-420,

In response to Public Act

Summary and Purpose of Amendment(s):

15)

human consumption that is to be consumed off the premises where it is sold" includes all food sold through a wending machine, except soft drinks the low rate of tax applicable to medical appliances extends to modifications to a motor venicle for the purpose of rendering it washle by a disabled person. The amendment also clarifies the Department's poincy that the low rare also applies to diapers for incontinent adults, as well this rulemaking amends 96 311. Adm. Code 130.310 to provide that "Sood Sor and food products that are dispensed not from a vending machine, response to Public Act 89-359, it amends Section 130.310 to provide that In addition, the rending machine. as undergarments for incontinent adults. regardless of the location

130.1501 to provide that Seginning August 17, 1995, a retailer of new motor vehicles may file a claim for credit when a new vehicle that was sold by that retailer has been returned to the manufacturer and the manufacturer has refunded to the customer all or part of the purchase price of that vehicle as provided in Section 3 of the New Vehicle Buyer In response to Public Act 89-359, this rulemaxing amends 95 Ill. Adm.

MOTICE OF ADOPTED AMENDMENTS

Production Act [815 ILCS 350]. This rulemaking clarifies that the amount of the claim for credit is to be based on the amount of the purchase price that was refunded to the customer.

business bublic Act 99-99 provides in the formation of the property of the provides that the provides the The amendments to 130.1952 is rulemaking implementing provisions of Public

Information and questions regarding this adopted amendment shall be directed to: 16)

Illinois Department of Revenue 101 West Jefferson Springfleid, IL 62794 (217) 782-5396 Legal Services Office Terry D. Charlton Associate Counsel

The full text of the Adopted Amendment begins on the next page:

ILLINOIS REGISTER

NOTICE OF ADOPTED AMENDMENTS DEPARTMENT OF REVENUE

CHAPTER I: DEPARTMENT OF REVENUE TITLE 86: REVENUE

RETAILERS' OCCUPATION TAX PART 130

SUBPART A: NATURE OF TAX

Section	
130.101	Character and Rate of Tax
130.105	Responsibility of Trustees, Receivers, Executors or Administrators
130,110	Occasional Sales
130.111	Sale of Used Motor Vehicles by Leasing or Rental Business
130.115	Habitual Sales
130.120	Nontaxable Transactions

SUBPART B: SALE AT RETAIL

Section

		es for Resale		
	9	o Purchase		Property
The Test of a Sale at Retail	Sales for Transfer Incident to Service	Sales of Tangible Personal Property to Purchasers for Resale	Further Illustrations	Sales to Lessors of Tangible Personal Property
130.201	130.205	130.210	130.215	130.220

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

SUPERIOR ADDRESS AMENDMENTS

Finance or Interest Charges -- Penalties -- Discounts Transportation and Delivery Charges 30,415 30,420

State and Local Taxes Other Than Retailers' Occupation Tax Deposit or Prepayment on Purchase Price Traded-In Property 130,425 130.440 30.430 30.435

Installation, Alteration and Special Service Charges Motor Vehicle Leasing and Trade-In Allowances Federal Taxes

130.450

RETURNS SUBPART E:

Monthly Tax Returns -- When Due -- Contents Quartecly Tax Returns section.

Returns and How to Prepare Annual Tax Returns 130.501 130.502 130.505

Final Returns When Business is Discontinued Who May Sign Returns First Return 30.520 30.515 30.525

Payment of the Tax, Including Quarter Monthly Payments in Certain Registration -- Separate Returns for Separately Registered Locations Juder Location oue Than More Covering Instances Returns 30.530 30.535

Returns for Retailers by Suppliers Under Certain Registrants Must File a Return for Every Return Period Returns on a Transaction by Transaction Basis d c Filing 30,540 30.545 30.550

Prepayment of Retailers' Occupation Tax on Motor Fuel Vending Machine Information Returns Verification of Returns Circumstances 30.555 30.551

SUBPART F: INTERSTATE COMMERCE

Sales of Property Originating in Illinois Sales of Property Originating in Other States Preliminary Comments

130.601 130.605 130.610

Section

CERTIFICATE OF REGISTRATION SUBPART G:

Procedure in Disputed Cases Involving Financial Responsibility General Information on Obtaining a Certificate of Registration Procedure When Security Must be Forfeited Requirements Section 130.701 30.705 30.710 30,715

Sane Ç of Business Separate Registrations for Different Places Sub-Certificates of Registration

30.720

DEPARTMENT OF REVENIE

NOTICE OF ADOPTED AMENDMENTS

Certificate Required For Mcbile Vending Units Taxpayer Under Some Circumstances Certificate Not Transferable Replacement of Certificate Revocation of Certificate Display 130.735 130.730

SUBPART H: BOOKS AND RECORDS

What Records Constitute Minimum Requirement Records Required to Support Decations General Requirements 130.801

to Destroy Records Sconer Than Would Preservation of Books During Pendency of Assessment Proceedings Preservation and Retention of Records Department Authorization Otherwise be Permissible 130.805 130.810 130.815 130.820 30.825

SUBPART I: PENALTIES AND INTEREST

Criminal Penalties Civil Penalties Interest

130.901

Section

SUBPART J: BINDING OPINIONS

When Opinions from the Department are Binding 130,1001

Section

Section

SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS SUBPART K:

on Federal Areas and Illinois When Deliveries on Federal Areas Are Taxable No Distinction Between Deliveries Deliveries Outside Federal Areas Definition of Sederal Area 130.1101 130.1110

SUBPART D: TIMEDE MAISING INEATED AS TIMEDE FILING AND PATENG

General Information

Due Date that Falls on Saturday, Sunday or a Holiday

130.1201

Section

SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section

When Lessee of Premises Must File Return for Leased Department 130,1301

9122

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Department	
eturn for Leased	this Regulation
Should File R	"Lessee" in this
When Lessor of Premises S	Meaning of "Lessor" and "Lessee"
.1305	0181.

SUBPART N: SALE

Section

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6	9	0.00				
4	5	9				
		40				
- 6	5					
The Character		n Certificates	S	ale (Repealed)	Obtained	(par
term:		Obtai	of Res	of Res	won fine	(Зереа.
o o		0	8.0	9	rg	F.
Seller's Responsibility to Determine the Character of the sale	the Time of the Sale	Seller's Responsibility to Obtain Certificates of Resale and	Requirements for Certificat	Requirements for Certificates of Resale (Repealed)		Blanket Certificate of Resale (Repealed)
130.1401		130.1405		130.1410	130.1415	130.1520

CLAIMS TO RECOVER ERRONEOUSLY PAID TAX SUBPART 0:

Finance Companies and Other Lending Agencies - Installment Contracts

Operators of Games of Chance and Their Suppliers

Optometrists and Opticians

Pawnbrokers Hatcheries

Florists and Nurserymen

130.1970

30.1965 130.1980 130,1985 130.1990

- Repossessions

A Materials to a High Impact Business tractors and Real Estate Developers

teopaths and Chiropractors

ociations

ty Shop Operators

or Related

Printing, Graphic Arts

900

17

Engaged

Persons

130.1995

Personalizing Tangible Personal Property

Peddlers, Hawkers and Itinerant Vendors

Persons Engaged in Nonprofit Service Enterprises and

Occupations, and Their Suppliers Exemption Identification Numbers

Sales by Teacher-Sponsored Student Organizations

Sales by Nonprofit Service Enterprises

130.2008 130.2010

310688

130,2006

Persons Who Rent or Lease the Use of Tangible Personal Property to Persons Engaged in Nonprofit Service Enterprises and in Similar Enterprises Operated As Businesses, and Suppliers of Such Persons

Persons Who Repair or Otherwise Service Tangible Personal Property

Physicians and Surgeons

Others

30.2015 .30.2020 30.2025

Picture-Framers

Recailers on Premises of the Illinois State Fair, County Fairs, Art

Registered Pharmacists and Druggists

130.2040

Public Amusement Places Retailers of Clothing

30.2030

Containers, Wrapping and Packing Materials and Related Contractors, Real Estate Developers and

Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products

Sales and Gifts By Employers to Employees

Sales by Governmental Bodies

Shows, Flea Markers and the Like

Sales of Automobiles for Tse In Demonstration

g c Sales to

Sales Sales

30.2065

Construction

Speculative Builders

Personnel

Postage

30,2080

Consular

Governmental Bodies, Foreign Diplomats and

Thereof	
Claims for Credit-LimitationsProcedure Disposition of Credit Memoranda by Holders Thereof Refunds	Interest
Section 130.1501 130.1505 130.1510	130.1515

SUBPART P: PROCEDURE TO BE FOLLOWED UPON SELLING OUT OR DISCONTINUING BUSINESS

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NOTICE OF SALES OF GOODS IN BULK SUBPART 0:

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OF ATTORNEY POWER

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SUBPART S: SPECIFIC APPLICATIONS

	ting Baths		Section Contracts
	Addition Agents to Plat	11.8	19. Curios Ser
Section	0.15	130,1905	130,1910

	Collectors'	
	Coins,	
	Collectors'	
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arat Froducers	, Curios, Art	
STROTTEN	Antiques	
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NOTICE OF ADOPTED AMENDMENTS DEPARTMENT OF REVENUE

file Meturn for Deased Department		Stamps and Like Articles
e" in this Regulation	130.1915	Auctioneers and Agents
	130.1920	Barbers and Beauty Shop
S FOR RESALE	130.1925	Blacksmiths
	130.1930	Chiropodists, Osteopaths
	130.1935	Computer Software
srmine the Character of the Sale at	130.1940	Construction Contractors
	130.1945	Co-operative Associations
Obtain Certificates of Resale and	130,1950	Dentists
of Resale	130.1951	Enterprise Zones
of Resalt (Repealed)	130,1952	Sales of Building Materia
id Now Obtained	130.1955	Farm Chemicals
Repealed)	130,1960	Finance Companies and Otio

NOTICE OF ADOPTED AMENDMENTS

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Sellers of Newspapers, Magazines, Books, Sheet Music and Phonograph Sellers of Gasobol, Coal, Coke, Fuel Oil and Other Combustibles Sellers of Feeds and Breeding Livestock Records and Their Suppliers 130.2095 130.2105 130.2100

Suppliers of Persons Engaged in Service Occupations and Professions Sellers of Seeds and Fertilizer Sellers of Machinery, Tools and the Cike 130.2110

Trading Stamps and Discourt Coupons Undertakers and Funeral Directors Vending Machines 30.2125

Vendors of Curtains, Slip Covers, Floor Covering and Other Similar Items Made to Order 130.2135

Vendors of Memorial Stones and Monuments Vendors of Signs Vendors of Meals 30.2145 130.2150 130.2155

Vendors of Tangible Personal Property Employed for Premiums, Vendors of Steam 130.2156 130.2160

Advertising, Prizes, Etc. Veterinarians 130,2165

Examples of Tax Exemption Cards Warehousemen ILLUSTRATION A: MUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act (35 ILCS 20] and authorized by Section 3953 of the Civil Administrative Code Illinois (20 ILCS 2505/39b31, SGONECA LA Adopted July 1 (1933) amended at 2.111. Req. 50.0. 71. effective December 10. 1978 amended at 1111. Reg. 51.2 pt 4. effective March 19. 1979) amended at 2.111. Reg. 11.2 pt 4. effective March 20. 1979, amended at 2.111. Reg. 10.1 pt 64. effective June 5. 1979, amended at 2.111. Reg. 10.2 pt 164. effective June 5. 1979, amended at 2.111. Reg. 10.2 pt 17. pt 17 manniced at 2 III. 869, 515, efficient annual 2.221 metal 4 ii. 1869 Mobile defective Manch II. 1981 mended at 5 III. 869 Mobile defective Manch III. 869 Mobile defective Manch III. 869 Mobile defective Manch III. 869 Mobile defective May III. 869 Mobile defective May III. 869 Mobile defective May III. 869 Mobile defective Mobi amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980;

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NOTICE OF ADDRESS AMENDMENTS DEPARTMENT OF REVENUE

effective November 7, 1994; amended at 12 III. Reg. 13446, effective September 17, 1995; amended at 1996; effective September 19, 1995; amended at 1996; effective September 19, 1995; amended at 1997; amended at 1998; effective September 19, 1995; amended at 1997; amended at 199 1428, effective March 4, 1936; amended at 10 ILL: Reg. 5365, effective March effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 1969; effective November 23, 1987; amended Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in III. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended 1993; amended at 17 III. Reg. 19651, effective November 2, 1933; amended at 18 III. Reg. 1837, effective January 13, 1994; amended at 18 III. Reg. 16866, 26, 1996; Sngngaged at 20 111. Reg. 5991, effective May 7, 1996; amended at 19 111. Reg. 91. 21. 4. effective response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. , effective

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section 130,310 Food, Drugs, Medicines and Medical Appliances

- consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate of rendering it usable by a disabled person, and insulin, urine testing utensils, syringes, and needles used by diabetics, for human General. With respect to food for human consumption which is to be consumption), and prescription and non-prescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose use, the tax is imposed at the rate of 1%. (Section 2-10 of the Act)+
 - 1) A food is any solid, liquid, powder or Item intended by the simple, including foods such as condiments, spices, seller primarily for numan internal consumption, whether seasonings, viramins, bottled water and ice. compound or mixed,
 - provided so that it can be consumed on the premises where it is prepared for immediate consumption do not qualify for the reduced Gross receipts from sales of food for which facilities are sold and gross receipts from sales of food unich has been rate. For example:
- A) gross receipts from sales of food and drinks by restaurants,

NOTICE OF ADOPTED AMENDMENTS

coffee shops, cafeterias and other establishments selling food which has been prepared for immediate consumption or which provide facilities for on-premises consumption are subject or the full late of fax.

- B) concession stands, ander shops and other establishments wardes and stands are standard (so that oft) individual stand served served served sandschee) had a make sales of food for immediate consultationally served sandschee) make sales of food for immediate consultation.
- C) sales of all not food and hot food products are sales of food for immediate consumption.
- establishments which sell food items primarily (more than 5)%) in quantities greater than individual sized Servings little the reduced rate on gross receipts from retail sales of Good items. However, the full rare will apply to all sales made by such establishments which provide facilities for the consumption of food on premises unless those facilities utilize a separate means of recording and accounting for collection of receipts from such for consumption on the premises and are physically need from areas in which food not for immediate consumption is soid. The parase "separate means of recording and which separately identify nigh rate and low rate sales, separate accounting for collection of receipts" includes cash registers dash registers, and other methods by which the tax on high rate and low rate sales are recorded at the time of collection. and bakeries dairies Delicatessens, markers, partitioned from areas sales
 - 4) The reduced rate does not extend to alrobalic beverages. An absorbalic beverages any extend to alrobalic beverages an apposed under Article 710 20 for #75 Elique Control Arc of 1934 [255]

The reduced sate does not extend to soft drinks. Soft drinks "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container regardless of size. "Sort drinks" loes not include coffee, rea, non-carbonated vater, infant formula, milk or milk products as defined in Section 3/4/-2/ and 4/ of the Grade A Pasteurized Wilk and Milk Produces Act iii DOCS 6351 +244-944-5444-1989+ chr-56-1+2y--yers:-2891-er-segry, or drinks containing 50% or more natural fruir or vegerable juice. (Section 2-10 of the Act) Prozen concentrated Stute juice, dry powdered drink mixes, and Eruit juices watch are reconstituted to matural strength are not Juice, vegerable. will be taxed at the State sales tax rate of 6.25%. Limited to soda water, cola, fruit juice, water, and soft drinks. Carbonatad

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DEPARTMENT OF REVENUE NOTICE OF ADOPTED AMENDMENTS

- which they do not prepare in any way, are not selling food be eaten without substantial delay after the chips, ice cream, unless that food is to be consumed on the etailer's premises. It is presumed that retailers who sell food prepared for immediate consumption in individual single-sized Food prepared for immediate consumption means food made ready by final stage of preparation by the setaller. Retailers who sell for immediate consumption, i.e., pre-packaged candy bars, snacks, servings will sell all such items for consumption without substantive delay. Thus, for example, a retailer of individual andwiches, doughnurs or cookies prepared in the morning will be subject to the aign rate of tax regardless of when during a day such trems are sold and actually consumed. Premises" are that area over which the wendor exercises control, addition, the area in which facilities for eating are provided, including areas designated for, or devoted to, use in conjunction with the business angaged in by the vendor. Thus, all food sold by a restaurant for consumption on premises, whether prepared for immediate consumption or not, is subject to the nigh cate. Sandy ための一からが一かななの一かなメリンダのかでの一なな一をはのわなるののとしのはなーものでは、つのかのはなの一をか hign-rater Vendor premises would include eating areas provided by employers for employees, common or snared eacing areas in shopping centers or public buildings if customers of food vendors adjacent to such areas are permitted to use them for consumption of food products. It will be presumed that food sold by vendors on premises unless the vendor presents exidence to the whether by lease, contract, license or otherwise, and, with on-premises consumption facilities will, in fact, the retailer to bus iness consumed (9
 - Contract (firm in cooks and capets).

 Det Directs of this Section defected.

 Les of Consequence of this Section defective close 1, 1956, food food the consequence of the consequence of
 - c) Medicines and Maddial Appliances

 1) A medicine or first any pill, powder, potion, salve,
- preparation intended by the manufacturer for human use and which repropers on the label to alve medicional qualities.

 A medical appliance is an item which is intended by its manufacturer for use in directly substituting for a

NOTICE OF ADOPTED AMENDMENTS

malfunctioning part of the body. Such items may be prescribed by health care professionals for use by a patient, purchased by health care professionals for the use of patients, appliances by lessons which will be leased to others for human use also qualify for the exemption. Included in the exemption as medical appliances are such teems as artificial limbs, dental prostheses and orthodontic braces, crutches and orthopedic oraces, wheelchairs, neart pacemakers, and dialysis machines (including the dialyser). Corrective medical appliances such as not be deemed to be a medical appliance, except as provided in Section 130.310(d). medical rools, devices and equipment such as x-ray machines, laboratory equipment, and surgical instruments which may be used in ine irearment of patients but, which do not directly substitute for a malfunctioning part of the human body qualify Purchases hearing aids, evenlasses and contact lenses or purchased directly by individuals. exemption. Diagnostic equipment shall

Supplies, such as non-sterile cotton swabs, disposable diapers, toilet paper, tissues and towelettes and cosmetics, such as ipsticks, perfume and nair tonics do not qualify for the reduced Sterile dressings, bandages and gauze do qualify for the undergarments, for incontinent adults, qualify for the low rate of Diapers for incontinent adults, as well do not qualify as exempt medical appliances. reduced rate. 3

Insulin, urine testing macerials, syringes, and needles used in treating diabetes in human beings qualify for the reduced race of tax. (Section 2-10 of the Act) î

Modifications Made to a Motor Vehicle for the Purpose of Rendering it , 1995, modifications made to a motor vehicle, Usable by a Disabled Person a

as defined in Section Lilfs of the Illinois Vehicle Code (625) ILCS 5/1-1816, for the jurpose of rendering it usable by a disable person, quality for the reduced (ste of tax (Section) the Act). The low rate applies to modifications unich enacle a dissoled person to drive a vehicle, or which assist in the transportation of disabled persons. Examples of such modifications include, but are not limited to, special steering, peaking. AllElno, or acceleration equipment, or equipment voich modifies the reacte for accessibility, soon as a mask life. The outposes of this sequence, new verm "assoled person" has

the same nearing as a "person with disabilities" in Section 1-159.1 of the Illinois Fenicle Code (625 ILGS 5.1-159.1). 2,1

report tax at the applicable rates, based on sales as reflected The retailer must keep an actual record of all sales and must Books and records must be maintained sufficient detail so that all receipts reported with respect in his records. (e) Reporting

The determination of the percentage of sales of food items sold in individual-sized servings referred to in subsections (5)(2)(8) and (b)(3) 2+b+--and--+3+ above, will be made by comparing the foods. The determination shall be based upon a period which will generally reflect the true character of overall sales rather than medicines and medical appliances can be supported. dollar amounts of the gross seceipts of the two categories MOTICE OF ADOPTED AMENDMENTS

If a retailer finds it difficult to maintain detailed records of receipts from all other sales of tangible personal property at requests must be made to the Department in writing and must state the reasons that a formula method is necessary and outline the Upon findings that the formula can be suddied and will produce results that will reasonably approximate the actual haxable meceipts in each caregory, the Department may issue its approval for use of such formula. If approval is granted, the Department receipts from sales of food, drugs, medicines and medical appliances at the reduced rate, as well as detailed records of description of now the method can be audited by the Department. reserves the right to withdraw approval or require a change proposed formula in detail. Included in the request must the full rate, ne may request the use of a formula. isolated or seasonal variations.

Reg. 9116 procedure at any time. (Source: Amended at JUL 2 1996

SUBPART O: CLAIMS TO RECOVER ERRONSOUSLY PAID TAX Section 130.1501 Claims for Credit -- Limitations -- Procedure

Limitations Coon Claims (8

1) Where a taxpaper under the Retailers' Occupation Tax Act pays

Asserted to the control of the property of the angest of the anges of the anges of the anges of the under the provisions of the Act, either as the result of a calculation e.g., documentsy fees), but does not include my gassmate allowance for comsume use of the automobile deducted from the purchase price by the manufactures. Retailers filling the Department an amount of tax or penalty or interest not due Durchase price of the vehicle as provided in Section 3 of New Yenicle Buyer Protection Act 215 ILCS 180/3]. The claim limited to taxes applicable to the purchase price of 3.9.05 waten includes eus us paphious the consumer, 90 collateral charges required to ca papungas

NOTICE OF ADOPTED AMENDMENTS

- The Department cannot approve any claim for credit unless the proof submitted in support thereof clearly establishes that the claimant has borne the burden of the tax erroneously paid or that he has unconditionally repaid the amount of the tax to his vendee from whom he has collected such amount. In the latter event, the claimant must also prove that his wendee has borne the burden of such amount or has unconditionally repaid persons to whom such Wendee has shifted the burden of such amount (see Section 6 of such claims must comply with all requirements of this Section.
- shall be allowed for any such amount paid by or collected from any claimant unless it shall appear that the claimant has from the purchaser and retained by the claimant with respect to the same transaction under the Use Tax Act. In addition, if the Retailers' Occupation Tax was paid on receipts from a sale made on or after August 1, 1955, no credit unconditionally regald, to the purchaser, any amount collected the Retailers' Occupation Tax Act).
 - The Department cannot approve any chaim for credit to the extent to recover the amount so paid is Filed with the Department, or if that the amount claimed is an amount which has been baid (voluntarily or involuntarily) in total or partial liquidation of an assessment which had become final before the claim for credit decree of court. Also, all claims for credit are subject to the paid in total or partial inquidation of a judgment, order statute of limitations, as follows: 4
 - Provided that as to any claim for credit filed with the Department on and after each January 1 and July 1 no amount of tax or penalty or interest erroneously paid (either in total or partial liquidation of a cax or penalty or amount of interest under this Act! more than 3 years prior to such if both the Department and the caxpayer have agreed to an extension of time to issue a notice of tax liability as provided in Section 4 of this Act, such claim may be filed at any time prior to the expiration of the January 1 and July 1, respectively, shall be credited; except
 - Claims for credit shall be prepared and filled upon forms provided period agreed upon. (Section 6 of the Act) by the Department. Each claim snail state; Claims Filing of
 - the name and principal business address of the claimant; the period dovered by the claim; C B F
- the total amount of credit claimed, giving in detail the net of taxable receipts reported each month or other return period used by the claimant as the basis for filing
- receipts upon which tax liability is admitted for each returns in the period covered by the claim; the total amount of tax paid for each return period; G 6

return period:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- the amount of receipts on which credit is claimed for each the amount of credit claimed for each return period; the tax due for each return period as corrected; return period; G E C
- reason or reasons why the amount, for which the claim is filed, is alleged to have been paid in error;
 - claimant has available to establish his compliance with Section 6 as to bearing the burden of the tax for which he payments or parts thereof (if any) included in the claim and a list of the evidence (documentary or otherwise) which seeks credit;
 - sufficient information to identify any suit which involves paid by the claimant under protest;
- such other information as the Department may reasonably the Act, and to which the claimant is a partyly and reduire. £
- Where the claimant is a corporation, the claim filled on behalf of corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.
 A claim for credit shall be considered to have been filled with such 2) 3)
 - Department. See Sections 130,1201 and 130,1205 of this Part for further information regarding when claims are deemed to be "received" by the Department.
 Upon receipt of any claim for credit filed under the Act, any the Department on the date upon which it is received
- the Director of Revenue to acknowledge receipt of such claims on benalf of the Department, shall execute on behalf of the Department, and shall deliver or mail to the claimant or his duly authorized agent, a written receipt, acknowledging that the claim has been filled with the Department, describing the claim in sufficient detail to identify it and stating the date upon which officer or employee of the Department, authorized in writing the claim was received by the Department. 4
 - Department received the claim described in such receipt and shall be prima facie evidence of the date when such claim was received Such written receipt snall be prima facte evidence that by the Department,
- In the absence of sucn a written receipt, the records of the Department as to when the claim was received by the Department, or as to whether or not the claim was received at all by the Department, shall be deemed to be prima facie correct upon these his legal representative) and the Department concerning these questions. (See Section 6a of the Act.) questions in the event of any dispute between the claimant
 - practicable after such claim is filed and will notify the 1) The Department will examine each claim for credit as soon Procedure After Filing of Claims

MOTICE OF ADOPTED AMENDMENTS

othannor (or its isage representative), if the chains is filled by such legal representative, or lif the chainst had died or become incompenent and such legal representative has notified the begancierte of his modified the observment of his modified the observment of his appointment and qualification as such legal representative, or if the Department, on his communition has substituted such legal representative in the proceeding for the deceased or incompenent claims of its Tentative Determination of the amount of orderly, if any, to which the claimst or his

They incrementally a sentition, a second of a deceased on increment supported to the feath representative of a deceased on increment support small, within 10 days after the personners supported the support small support su

 if a procest to the properteent's Notice of Entative Describation of Claim is not filed within 60 94 days and a request for a hearing travent is not made as resembore provided, the said stortles stall interupton enteres and operate as a Final Description. See Sections 66 and 60 of the Act.)

Use of Credit Memoranda to Satisfy Prior Rights of Department

1) If, following the above procedure, a credit is found to be due, as evidence thereof a credit memorandum for such amount shall be issued in the Thame of the Chaimant.

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DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

person non and one accomous payment.

3) If the crait is in an anount less than that of the impaid limiting it is and it is an anount less than that of a politic process.

4) If the anount of the crait exceeds that of including.

such unpaid liability, a new credit memorandum snall be tasted for an amount representing the difference between that of the toat of the Liability Occupation Tax Act, the Non-Rome Rule Municipal Retailers' Occupation Tax Act, the Rome Fule Municipal Service Occupation Tax Act, the Non-Home Pule Municipal Service Occupation Dax Act, the Home Rule County Retailers' Occupation Tax Act, the Home Rule the Water Commission Act of 1985, subsections (b), (c) and (d) of Section 5.01 of one Local Wass Transic District Act, or subsections (8), and (3) of Section 4.03 of the Regional Transportation after orediting an ancune sufficient to liquidate or cancel out liquidated or paid as aforesaid, and suon new credit memorandum shall be delivered to the person entitled to receive sellvery thereof, provided that no proceeding is pending against the claimant to establish an unpaid liability under the Retailers' Act, the Service Use Tax Act, the Home Rule Municipal Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation County Service Occupation Tax Act, Section 4 of original credit found to be due and Authority Act.

5) (E procedury or searables not an unpublishmenty is pending, the credit recording scale in 6 and 50 to Department nucli such proceeding is smoothed and (E sun proceeding scales in respirate to the applied by the Separament, to the extens in the message, in indication of the search into Table to the account that any accurate therein, and the Manage of the credit is all published in the Complete in Inquisition of the credit scaled in the Complete in Inquisition of the credit scaled in the Complete in the

MOTICE OF ADOPTED AMENDMENTS

delivered to the person entitled to new credit memorandum and receive delivery thereof.

effective 9116 Reg. 9001.9 ÷ (Source: Amended

SUBPART S: SPECIFIC APPLICATIONS

Section 130.1952 Sales of Building Materials to a High Impact Business

- On and after January 1, 1986, and prior to January 1, 1985, a rerailer who makes a sale of building mercrials to a High Impace business [High "may file claims for credit or recover the amount of under the Retailers' Occupation Tax Act. (Section 52 of the 9
- ### SECURIOR SERVICE | SER
 - OF SITES, STATES CARBOTTON THE PROPERTY SECTION AND STATES AND LES DOORS AND CHECKER STATES OF S
 - a certification by the purchaser that the building materials being purchased are being purchased for incorporation into a HIB location:
- a description of the building materials being purchased (this may be done by a oross reference to the remainer's invoice number;; the name of the MLB commissions which the building materials will be unopposated and, it applicable, the street address of
- The card action of the process of the control of the control of the process of the control of th g
 - - vindovs, Joors, insulation, roofing materials and sheet metal. plumotro agrees and components thereof such as Eathtribe. Lavarories, sinks, faucers, gargage diaposals, water pumps, verex hearers, vater softeners and water pipess

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NOTICE OF ADOPTED AMPUNEUTS DEPARTMENT OF REVENIE

- ductwork, vents, stokers, bollers, heating pines and radiators; electrical systems and components thereof such as wiring, purlers 10 heating systems and components thereof such
- Components thereof which are physically incorporated into the HTB air conditioning systems, ventilation systems location; Sentra] 5

and light fixtures which are physically incorporated into one HIE

- pulin-in cabiners and other woodwork which is physically incorporated into the HIB location: built-in dabiners and 9
 - outir-in appliances such as refrigerators, stoves, ovens and rash compactors which are physically incorporated into the
- Shor coverings such as tile, inchess and expecing such is abused to the WEB Lower to the WEB Lower to the WEB Lower to the WEB Lower the Company of the WEB Lower to the WEB Lower than the company of the WEB Lower than the WEB LOWER TOWN TOWN TOWN THE WEB LOWER THOSE TOWN TOWN TOWN THE SEC THE WEB LOWER THE WE are physically incorporated (i.e., transplanted) into the
- lems that are not onvateably incorporated into a gib location camegastalfy for one deduction. For example, gross seeding from any particular distribution of the design from the example. If groups a gibble groups are designed from the estate groups. e |
 - TOOLS ADMINISTED ADMINISTED AND ADMINISTRATION OF A SET OFFICE AND ADMINISTRATION OF A SET OFFICE ADMINISTRATION OF A SET OF
 - COMPECTORS and dishwasmers which may be connected to and operate from a building's electrical or plumping system but which do become a component of those systems;
 - tacked-down carpeting and other floor coverings which are not onysically incorporated into the HIB location.

9116 Reg. at 9 (Source: Added

NOISELVOIS SOSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: College Savings Bond Bonus Incentive Grant (BIG)
- Code Citation: 23 Ill. Adm. Code 2771
- Adopted Action: Section Numbers:
- Statutory Authority: Implementing and authorized by Section 8 of the Baccalaureate Savings Act and by Section 75 of the Higher Education Student Assistance Act (110 ILCS 920/8 and 847/75]. Amended 2771. Appendix A

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- Effective Date of Rulemaking: July 1, 1996
- Does this rulemaking contain an automatic repeal date? No
- Does this rulemaking contain incorporations by reference?
- Date Filed in Agency's Principal Office: June 10, 1996
- Notice of Proposal Published in Illinois Register: February'2, 1996, 20 Ill. Reg. 1791
- 2 10) Has 30AR issued a Statement of Objections to these rules?
- None. 11) Difference(s) between proposal and final version:
- been made as Have all the changes agreed upon by the agency and JCAR indicated in the agreement letter :ssued by JCAR? Zes
- 13) Will this rulemaking replace an emergency rule currently in effect?
- 14) Are there any amendments pending on this Part? No
- ISAC annually reviews its rules in State and federal statutory amendments, and to clarify issues that have arisen during the previous year. In addition to making minor technical and grammatical changes chroughout this Part, ISAC adopted the following order to respond to market changes and cilent suggestions, to implement amendment: Minor changes have been made to the bond sale dates listed in the table of grant amounts in Appendix A to more accurately reflect the This is merely a minor technical correction and does not change the amount of any grant awarded. 15) Summary and Purpose of Rulemaking: actual bond issuance dates.
- Information and questions regarding these adopted amendments shall 16)

ILLINOIS ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

Name: Ms. Paguel G. Marcinez Address: Compilance Counsel

Illinois Student Assistance Commission

The full text of one Adopted Amendment begins on the next page:

1755 Dake Cook Road Deerfleld, IL 60015 Telephone: (847)948-8500

ILLINOIS ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TILE 23: EDUCATION AND CULTURAL RESOURCES SUBSITEE A: EDUCATION CHAPTER XIX: ILLINDIS STUDENT ASSISTANCE COMMISSION COLLEGE SAVINGS SOND SONUS INCENTIVE GRANT (SIG) PROGRAM

2771.13 Summary and Purpose
2771.20 Defitilions
2771.30 Program Procedures
APPERDIX A Table of Grant Amounts

AUTHORITY: Implementing and authorized by Sention 8 of the Baccalaureare Savings Act (10) 1108 242 9 1 4 4 7 7 1 in the Righer Education Student Savinate Aut. (10) 1108 247 7 3 1 in the Savination Student

STORCE: Exercency rises addressed in 1111 New .1550), effective Corober 11, 1500. For a married of 150 days address at 16 111. And 1111. Address at 16 111. And 1111. And 1111.

Section 2771.10 Summary and Purpose

- A) The Appositivese Savings Act 110 1005 310.8] Helbridger-Stewn-8999 (Arthrophysical Savings Savings Act 110 1005 310.8] Helbridge Savings The Property Savings Savin
 - Office Parts exhalishes place when operantite Bonus incentive drant in the William Additional Rules and definitions are contained in the recent Persistors with 20 III. Adm. 104e 1700. Defined vers are indicated for first latter felong paintained.

 The purpose of mis Part is no establish the conditions and procedures
- for a Qualified Bond Bolder to designate a Student Beneficiary as the recopient of a Bonus Intentive Cent and to outline the process by Which a Student Beneficiary applies for and obtains this grant.

 Q 1 2 A

(Source: JUL | 1998 20 111. Reg. 3136 , effective

S360

5380

\$400

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ILLINOIS ASSISTANCE COMMISSION NOTICE OF ADOPTED AMENUMENTS

Section 2771. APPENDIX A Table of Grant Amounts

GRANT AMOUNT PER \$5000 COMPOUND ACCRETED VALUE AT MATURITY

GRANT BCND MATURITY (August 1)	1/88 Bond Sale	10/88 Bond Sale	1128 39 Bond Sale	11129/30 Bond Sale	9±9/91 Bond Sal
1991		ı	2 10		•
1992	,		s 60	\$ 40	١
1993	\$100	\$100	\$ 80	09 \$	5 10
1994	\$120	\$120	\$100	\$ 80	\$ 60
1995	\$140	\$140	\$120	\$100	S 80
. 9661	\$160	\$160	\$140	\$120	\$100
1997	\$180	8180	\$160	\$140	\$120
1998	\$200	\$200	\$180	\$160	5140
1999	\$220	\$220	\$200	\$180	\$160
2000	\$240	\$240	\$220	\$200	\$180
2007	\$260	\$260	\$240	\$220	\$200
2002	\$280	\$280	\$260	\$240	\$220
2003	\$300	\$300	\$280	\$260	\$240
2004	\$320	\$320	\$300	\$280	\$260
2005	\$340	\$340	\$320	\$300	5280
2006	\$360	\$360	5340	\$320	\$300
2007	\$380	\$380	\$360	\$340	\$320
2008	8400	\$400	\$380	\$360	\$340
2000					

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		\$380	\$400	\$420																										
NO	55	0015	\$420	1	QND																									
ASSISTANCE COMMISSION	ADOPTED AMENDMENTS	\$420	ı	ı	ER SSOOO COMPOUND UE AI MAIURIIY	10/94	Bond Sale	1	\$15	240	860	280	8130	.\$120	8140	\$160	\$180	\$200	\$220	\$240	0975	2280	2300	\$320	2340	\$360	\$380	0015	7	0++5
ILLINOIS ASSIS	NOTICE OF ADO	,	,	,	GRANT AMOUNT PER ACCRETED VALUE	10/93	Bond Sale	,	015	260	\$80	\$100	\$120	2710	\$160	5180	\$200	\$220	\$240	\$260	2280	2300	5320	2310	5360		2400		2410	,
		ı	,	1		29/92	Bond Sale	\$40	260	280	\$100	\$120	\$7.40	2163	51.60	8233	\$220	\$240	5260	\$280	0000	2320	0+55	5360	\$380	2400	8420			
		2010	2011	2012		RANT BOND TURITY	ugust 1)	1994	9.6	1996	1997	1008	1999	2000	2001	2002	2003	5007	5002	2006	2000	2000	6007	0707	2011	2012	2013	2014	2015	5016

*If no grant amount is shown, there were no bonds sold at that maturity for that particular issue.

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9141

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- 1) Beading of the Part: David A. DeBolt Teacher Shortage Scholarship Program
 - Code Ciration: 23 Ill. Adm. Code 2764
 Section Numbers: Adopted Action:
 2764.30 Americad

3)

- 4) SEMENGEON AMERICAN INDICATED TO STATE AND ASSESSED SENDENCE SENDENCE SENDENCE SENDENCE ASSESSED AND ASSESSED ASSESSED AND ASSESSED ASSE
- Effective Date of Pulemaxing: July 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- Does this rulemaking contain incorporations by reference? No
 - 8) Date Filed in Acency's Principal Office: June 10, 1996
- Notice of Proposal Published in Illinois Register: February 2, 1996, 20 Ill. Reg. 1796
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) <u>Difference(s)</u> between <u>proposal</u> and final version: One minor, technical change was made in response to public comment.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- So Gomenty, and Discome as "distinctions or supplementary of control of progressions or supplementary of the control of the co

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

being added for ISAC's other teaching programs. Recipients must agree to provide ISAC with evidence of compliance with program requirements, such Section to that 2764.30(£):5) has been added to provide a requirement similar the application form which must be completed. as ceplying to annual nuestionnaires. information and questions remarding these adopted amendments shall be directed to: 16)

Ms. Raguel G. Martinez Compilance Counsel

Illinois Student Assistance Commission 1755 Lake Cook Road

Deerfleid, IL 60015 (847) 348-3500

The full text of the Adopted Amendment begins on the next page:

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

SUBTILLE A: EDUCATION CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESOURCES PART 2764

DAVID A. DEBOLT TEACHER SHORTAGE SCHOLARSHIP PROGRAM

Summary and Purpose Definitions 2764.10 2764.20 2763.30

DeBolt Scholar Eligibility Institutional Procedures

Program Procedures

2764.50

Student Assistance Act (110 ILCS 947/65.55) and authorized by Sections 20(E) and 55.55 of the Higher Education Student Assistance Act (110 ILCS 947,20(E) and 55.55). AUTHORITY: Implementing Section 55.55 of the Higher Education

August I. 1995, amended at 20 III. 8eg. 91.41 SOURCE: Emergency rules adogted at 19 Ill. Reg. 976, effective February 9661

Section 2764.30 DeBolt Scholar Ellgibility

- a) A completed application must be received in ISAC's Deerfield office on before May 1 immediately preceding the Academic Year for which the receive scholarship is being requested, in order to consideration.
 - In addition to submitting an application on a timely basis, a a United States Citizen or an Eligible Noncitizen; Qualified Applicant must be:
 - a high school graduate or a person who has received a General Educational Development Certificate (SED); and a Resident of Illinois:
- Enrolled, or accepted for enrollment, on at least a half-time Program at an eligible fillinois public or private intversity or college and intending to seek seekang initial certification in a basis at the sopnomore level or above in a Teacher Teacher Shortage Discipline.
 - if they are not Qualified Applicants. Such an Applicant may appeal a finding of .neligiblisty in accordance with 23 iil. Adm. Code 2700.70, Appeal Procedures. Applicants will
- financial aid to determine the expected Samily contribution (RFC) because the ENG will be used as part of the selection criteria for the Education designates as an application attentant for federal student purpose of determining eligibility for the DeBolt Teacher Shortage noe form voten one U.S. Department All Applicants must complete (p

ILLINOIS STUDENT ASSISTANCE COMMISSION

If the student section of an application is incomplete, notice will be sent to the Applicant. The Applicant will then have an opportunity to furnish the missing information; however, the application will only be considered for processing as of the date when the student section is complete and received in ISAC's Deerfield office.

Qualified Applicant must sign a Teaching Agreement, Promissory Note The Teaching Agreement/Promissory Note Prior to receiving sonclarship assistance for any Academic Zear, shall include the following: that is submitted to ISAC.

- a pledge on the part of the DeBolt Scholar to teach for one year for each year of scholarship aid received in the Teacher Shortage Discipline for which the recipient applied, or any portion of a year for which aid was received, under this Part;
 - a stipulation that such teaching requirement will be fulfilled postsecondary aducation degree or certificate program for which within the five-year period following termination
- a stipulation that such teaching requirement will be fulfilled at the scholarship was awarded:
- an Illinois public presencel, elementary or secondary school; and a further stipulation that, if the teaching requirement is not ulfilled, the scholarship converts to a loan and the DeBolt Scholar must repay the entire amount of the scholarship(s) the fraction of the teaching obligation not rate applicable to student loans under the Federal Family loan Program and, if applicable, reasonable collection complered, plus interest at a rate no greater than the 00 proraced Education
- a further stipulation that the DeBolt Scholar agrees to provide 15AC with evidence of compliance with program regulzements (e.g., respondes to annual follow-up questionnaires, etc.). DeBolt Scholar shall not be in violation of the teaching agreement, and thus shall not be required to commence repayment as set feest andr 6
- for not more than three years, as a member of the United is temporarily disabled, for not more than three States armed services; serves,

subsection (f) of this Section, if the recipient:

- is seeking and chable to find full-time employment as a neacher at a school that satisfies the criteria set forth in subsection established by the sworn affidavit of a licensed physician;
- (E)(3) of this Section, and is able to provide evidence of that withdraws from a course of study leading' to a reacher certification in a Teacher Shortage Discipline, but remains 7
- A DeBolt Scholar shall not be required to repay the amount of the scholarship(s) received if s/he becomes permanently totally disabled, as established by the sworn affidavit of a licensed physician (see enrolled at least nalf-time in another academic discipline. 9

ILLINOIS STUDENT ASSISTANCE COMMISSION

ILLINOIS REGISTER

e.g., 34 CFR 653.42(k)(i)), or if his or her representative provides ISAC with a death certificate or other evidence that the Scholar has died. Applicants may receive a subsequent award even if their

Renewal

- discipline is no longer on the approved list of Teacher Shortage up to 8 semesters/12 quarters of A DeBolt Scholar may receive Disciplines.
- Scholarsnib funds are applicable toward two semesters/three of half-time and Jull-time study within an Academic Year. scholarship assistance under this program.

9141 Ill. Reg. at (Source: Amended

JUL 1996

Section 2764.40 Program Procedures

- Applications for the DeBolt Teacher Shortage Scholarship Program are Illinois, state eqislative and federal congressional offices, and ISAC's Springfield, qualified Institutions throughout Destiteld and Chicago offices. available from
- ISAC snall accept applications to be a DeSclt Feboth Scholar for Scholar) in accordance with Section 2764.30 of this Part, DeSclt Scholar Sligibility.
 - SAC snall identify Qualified Applicants from applications submitted ISAC snall select the DeBolt Scholars from among Qualified Applicants by the established deadline date. based on the following criteria: (P
 - Cumulative Grade Point Average (GPA). Cumulative GPAs will be prioritized from the highest to the lowest. All GPAs will converted to a four-point scale.
 - Expected Family Contribution (EFC). EFCs will be prioritized receive Minority Students snall from the lowest to the highest. Minority Student Status.
- Renewal Applicant Status. Renewal Applicants shall priority consideration provided the students 7
- A) continues to maintain a Cumulative GPA of no less than 2.5 maintains als or her status as a Qualified Applicant, on a 4.0 scale:
- outlined in Section 2764.30(b) of this Part, DeBoit Scholar continues to advance satisfactorily toward the attainment of
 - D) has submitted an application on a timely basis. a dedree in a Teacher Shorrage Discipline: and
- p.e ner given to the Qualified Applicant who submitted his or If all other criteria are equal, priority consideration will completed application to ISAC on the earliest date.
- The total number of scholarships awarded in a given fiscal year

contingent upon available funding.
To the extent accessary to administer this program within the limits of the Stars appropriation was commission and accessing to the commission.

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- of the State appropriation, the Commission may adjust the priority consideration factors established by this Section.

 [SAC shall annually establish and publicite quidelines for the awarding of DeBolt Scholarships.
- b) Notice of eligibility shall be sent to earn Qualified Applicant who is settled to receive a DeBolt Scholarship. A notice will be sent to each Qualified Applicant who is not selected to receive a DeBolt Scholarship.

(Source: Amerided at 20 III. Reg. 9141 , effective [U] 1 1996.

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ILLINOIS STUDENT ASSISTANCE COMMISSION NOTICE OF ADOPTED AMENDMENTS

- Beading of the Part: Federal Family Education Loan Program (FFELP)
- 2) Code Citation: 23 Ill. Adm. Code 2720

Section Numbers:	Adopted Action
2720.20	e d
2720.25	Amended
2720.30	Amended
2720.35	Amended
2720.41	nerd
2720.42	d Ter
2720.50	Tende
2720.55	mend
2720.60	7
2720.70	-0
2720.80	4
2720.105	accer
2720.120	Sprance
2720.APPENDIX A	i sana

- 4) Statuttor Authoritis Implementing Sections 30 through 173 of the Righer Education Student Assistance Act LID INTO \$9.13 of tracks 77, Part 3, of the Higher Dubration Act of 1365, as analoge 130 U.S.C.A. 1031 et set,) and authorised by Section 2019 of the Higher Education Act of 1365, as analoge 6 and 1365 as analoge 6 and 1365 as a part of 1365 as a sale of 1365 as a
- 5) Effective Date of Rulemaking: July 1, 1996
- 6) Does this tulemaking contain an automatic repeal date? No
- () Does this rulemaking contain incorporations by reference? N
- Date Filed in Agency's Principal Office: June 10, 1996
- Notice of Proposal Published in Illinois Ragister: February 2, 1996;
 111. Reg. 1902
- 10) Has JCAR issued a Statement of Objections to these rules? N
- 11) Difference of a Newbook Indicated and Stand Accessions A few minor, wendered community of the Community
- 12) Have all the changes agreed upon by the agency and JCAR been made as

ELLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

ndicated in the agreement letter issued by JCAR? Yes

- Will this rulemaking replace an emergency rule currently in effect? No
- 4) Are there any amendments pending on this Part? No
- Summary and Purpose of Amendments: ISAC annually revise its rules in order to respond to market changes and client suggestions, to implement State and federal statutory amendments, and to clarify issues that have information in this manner. Language has been added to Section 2720.25(a) to reflect the fact that educational lenders must not only neet ISAC's requirements for institutional and lender eligibility, but must also meet federal requirements which apply exclusively to schools that make or originate loans. In Section 2720.25(b), the word "snail" has been changed status is not automatic upon application, but rather is subject to meeting lenders must solde by federal requirements, instead of Appendix A of this part, which has been repealed. New Section 2720.25(e) was added to clarify that educational lenders must not only comply with this section to to maintain continued eligibility. Section 2320.30(c) has been updated to illustrate that a school can reestablish eligibility with ISAC after Section 2720.30(e) has been revised to parallel federal requirements for been amended because loan quarantee data is provided to holders only in an electronic format and, therefore, it is necessary for all holders to has been rewritten to more clearly reflect the right of a borrower to change lenders after 19AC is notified of this election in a less cans be sold to it as well. The borrower has the ultimate right to determine where the leans are held. Section 2720.42(b)(2) has been loans within required time frames, but must also ultimately conclude the by the correct holder. Section 2720.42(c)(2) has also been revised to In addition to making minor technical substantive amendments: Section 2720.20(a)(4) has been amended to reflect an existing practice regarding the electronic exchange of information. can quarantee data is provided to lenders only in an electronic format therefore, it is necessary for all lenders to transmit and receive to more accurately reflect that approval of educational lender the specific terms and conditions of eligibility outlined in that section. Section 2723.25(b)(3)(B) has been amended to demonstrate that educational establish initial eligibility, but must continue to adhere to these rules reestablishing eligibility for federal student financial aid programs. the reporting of student enrollment information. Section 2720.35(d) has transmit and receive information in this manner. Section 2720.41(b)(2) .E., and when, a borrower's loans have been sold to different holders, the holder of the oldest loan has the ability to request that the subsequent modified to illustrate that holders must not only initiate the sale of sale prior to the loan entering default status so that claims can be filled more accurately reflect the right of a borrower to change holders after cumbersome manner. Section 2720.42(a)(4) has been added to specify and grammatical changes throughout this Part, ISAC adopted the arisen during the previous year.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

clarified. In Section 2720.80(a), the required time frames for semittance previously mentioned, Appendix A has been repealed in its entirety since is notified of this choice in a less burdensome manner. Section 2720.50(d) has been modified to provide lenders with flexibility to choose the means with which to inform ISAC of loan disbursement dates from among a wider warkery of methods identified in operational procedures. Section 2720.50(e)(1) has been smended to give educational institutions the flexibility to require that all onecks to students be made co-payable to the borrower and institution, thus providing greater control over the use has been updated to allow an circumstances, as provided for in 34 CPR amended to seduce unnecessary detail, and to remove requirements voton are no longer in effect. Due to frequent changes in the federal requisitions allow ISAC rules to remain current by reflecting changes to federal regulations as they occur, without the need for frequent subes amendments, and will eliminate redundancy by pointing to specific federal regulations porrower's drivers license number in a request for preclaim assistance was In Section 2720.50(c), smaller numbers of accounts in order to encourage this more afficient means of processing. Section 2720.60(d) has been amended to incorporate federal regulations by reference and to eliminate the specific details of certain skip-tracing activities. In addition, the time frames within which a lender may and/or must file for preclaim assistance have been of insurance premiums has been modified to refilect new procedures. Section 2720.80(c) has been amended to, once again, incorporate federal regulations by reference, thereby eliminating the need for frequent revisions as federal policies and procedures change, And finally, as the necessary requirements for educational lender status are uncomponated programs, specific instructions throughout this Part cave been replaced of preclaim filling has been extended with which ISAC lenders and institutions must already comply. In Sec. 2720.50(a), the requirement that the lender or nolder provide prepare peeplest additional 30 days for the late disbursement of loan proceeds 682.297(d)(2)(ii). Sections 2729.50(f),(g),(i) and (k) have references to the applicable sections of federal regulations. deleted since that information is no longer used. of the Secenal Section 2720,53(e)(2) the requirement for electronia with documented exceptional governing the administration Into Section 2720,25. of loan proceeds.

16) Information and questions retarding these adopted rules amendments snail be directed to:

Ms. Raquel G. Martinez Compliance Counsel

- Compliance Counsel Illinois Student Assistance Commission III TSS Lake Ock Road See Flaid, IL 60015
 - 847) 948-8500

ILLINOIS STUDENT ASSISTANCE COMMISSION

The full text of the adopted rules amendments begin on the next page. NOTICE OF ADOPTED AMENDMENTS

ILLINGIS STUDENT ASSISTANCE COMMISSION

SUBILILE A: EDUCATION CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESOURCES NOTICE OF ADOPTED AMENDMENTS

FEDERAL FAMILY EDUCATION LOAN PROGRAM PART 2720

THE FEDERAL STAFFORD LOAM PROGRAM, FEDERAL PLUS PROGRAM, FEDERAL SUPPLEMENTAL LOANS FOR STUDENTS (SLS) PROGRAM, AND FEDERAL CONSOLIDATION LOAN PROGRAM PEDERAL LOAN PROGRAMS: SUBPART A:

Eliqibility for ISAC Loan Guarantees Summary and Purpose Definitions 2720.6

Educational Institution Lender Eligibility Lender Eligibility

Institutional Eligibility Holder Eligibility 2720.10 2720.20 2720.25 2720.30 2720.35

Procedures for Obtaining a Guaranteed Loan Procedures, for Dispursement and Repayment One-Lender Requirement One-Holder Requirement 2720.42 2720.50 2720.55 2720.40 720.41

Student Insurance Premium Reimbursement Procedures Guarantee Transfers 2720.70

Federal Consolidation Loan Program

Preclaim Assistance

SUBPART B: ILLINOIS DESIGNATED ACCOUNT PURCHASE PROGRAM (IDAPP)

Summary and Purpose

2720.120

2720.105

IDAPP Eligible Loans IDAPP Eligible Lenders

SUBPART C: ISAC ORIGINATED LOANS

ISAC Originated Consolidation Loans Illinois Opportunity Loan Program (IOP) Federal Family Sducation Loans (FFEL) 2720.210 2720.200 Section

Required Activities of Educational Senders (Repealed)

APPENDIX A

Student Assistance Act (110 ILCS 947,30 through 1751; Title IV, Part B, of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1071 et seq.); and of the Higher Education authorized by Section 20(f) of the Higher Education Student Assistance Act (110 NUTHORITY: Implementing Sections 80 through 175

A 2011 Age 10.06 effective September 2. 1981 instanced to 9 111. Age 2015 of Sefective May 1981 1881 asserted as 2 111. Age 2015 of Sefective Annual 1982 and 1982 an SOUNCE: Adopted at 3 III. Reg. 4, p. 38, effective January 26, 1979; amended at 5 III. Reg. 8698 effective Mussil Jr. 1881; emergency rule and emergency repairs at 6 III. Reg. 7558, 7573, effective June 9, 1384, for a maximum of 130 Mays new rules adopted at 6 III. Reg. 1379, effective Occoper 55, 1882. expired Peorusty 12, 1989; amended at 13 III. Reg. 7872, effective Pebruary 16, 1989; mended at 13 III. Reg. 8630, effective bly 1, 1989; remarkeded from hopper XX, 23 III. And. Code 170 (State Scholarship Commission) to Chapter XXX, 23 III. Add. Code 270 (Blinos Scholar Assistance Commission) pursuant old rules repealed at 6 Ill. Reg. 15254, effective December 3, 1982; emergency amendment at 7 III. Reg. 9942, effective August 8, 1983, for a maximum of 150 days; codified at 7 III. Reg. 13309; amended at 8 111. Reg. 876, effective to P.A. 8-168, effective July 1, 1989, at 13 III. Reg. 17855; emergency actions at 14 III. Reg. 17866, effective March I. 1990; for amaximum of 150 advancement at 14 IIII. Reg. 1655, effective Uury I. 1990; needed at 14 III. Reg. 19941, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 18769, July 1, 1992; emergency amendment at 17 ILL Reg. 2055, effective Pebruary 1, 1993, for a maximum of 150 days; amended at 17 ILL Reg. 10506, effective July effective Lanuary 1, 1992, for a maximum of 180 days; amended at 16 111. Reg. 4060, effective georgary 28, 1992; amended at 16 111. Reg. 11224, effective Amended at 18 111. Reg. 10254, effect.ve July 1, 1994; emergency amendment at 18 111. Reg. 18636, effective October 15, 1994, for a maximum of 1375 days: emergency expired March 13, 1395; amended at 3 111. Reg. 5115; effective byll 55, 52<mark>95 praground</mark> at 2 111. Reg. 5215, effective 0.1y 1, 1395; manned at 20 111. Reg. 511. Reg

THE PEDERAL STAFFORD LOAN PROCRAM, PEDERAL PLUS PROGRAM, FEDERAL SUPPLEMENTAL SUBPART A: FEDERAL TOAN PROGRAMS:

COANS FOR STUDENTS (SLS) PROGRAM, AND FEDERAL CONSOLIDATION LOAN PROGRAM

Section 2720.20 Lender Eligibility

a) Lender Agreement

9153

ILLINOIS STUDENT ASSISTANCE COMMISSION

MOTICE OF ADOPTED AMENOMENTS

- to participating in the Sederal Samily Education Loan Program through ISAC. Lenders wishing to serve as Lenders of last resort are required to sign an additional agreement which includes the provisions of Section 428(j) of the Higher Education Act, as Lenders must have received 2D approval prior to executing a All approved Lenders must execute an ISAC lender agreement amended.
- The lender agreement shall include provisions requiring Lenders lender agreement.
 - Comply with statutes, Federal Regulations, Rules,
- Provide such information as ISAC may request relating to borrower dendgraphis, collection records and occer documents ISAC may reed to comply with Reseral Regulations (deer Sections 272), 6/48, and 2720, 7/6(c), 1
 - Lenders and ISAC grall #47-4950000 electronically transmit and receive loan quarantee data. ISAC snall provide the lender with program documentation and reasonable technical assistance related to electronic data exchanges. ISAC and the Dender shall agree that the information and data shall be confidental and shall not those directly related to the administration of ISAC's Juananteed be used, disclosed, sold or snared for any purpose that than Loan programs.
 - Termination of the lender agreement may be made by either the Lender or ISAC with thirty--+ 30 + days written notine. Termination shall not affect any obligations incurred prior to
 - Eligible Lenders snall employ an adequate number of qualified persons to administer their responsibilities under the ISAC Rolas. In persons, ISAC considers the number of students aided, one number of determining whether a Lender employs an adequate number of qualified applications evaluated and the amount of funds administered. the time such termination becomes effective. ĝ
 - In addition to the provision of subscotton 'a), the leader agreement advertising and orderings, parentals done and ordering the for insurance companies approved as Lenders shall require:
- compilance with Sections 121 through 134 of the Illinois Insurance Code, which prohibit infair methods of competizion and unfair and deceptive acts and practices (215 ILCS 5:421 through the Silinois Insurance Code 1215 SECS 5,1497 and 80 Code 909: and
- Federal Regulations, statutes, ISAC Rules, or procedures, provided A loam guarantee snall be cancelled if the Lender Sails to comply with
 - such failure impairs ISAC's ability to recover the expense of ISAC conducts compliance reviews to determine if approved Lenders are reimbursing one Lender for the defaulted loan. (e
- complying with Sederal Regulations, statutes and Rules.

LLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

submit an application which shall include, but not be limited to: servicing/secondary market agreements; previous compliance and audit reviews conducted by other guarantors and the Department of Education; documentation relating to the percentage of student loans as compared relating to student loans requested by ISAC to show the Lender's Lenders wishing to participate in ISAC-guaranteed loan programs shall to otner installment loan portfolios; default rates; policy and previous and anticipated Ican volume; and other similar information Program participation will be determined by an examination of those materials and compliance with procedures manuals: promotional materials: a statement relating federal laws and regulations and State rules and statutes. participation. qualifications for G

9147 20 (Source: Amended at

Ill. Reg. 1 199R

Section 2720.25 Educational Institution Lender Eligibility

Eligibility, and must meet the eligibility requirements established Institutional Educational landers must comply with all Federal Regulations related 20 578 SCOTTABLOD, 1:Sbursement and servicing of a loan. (See, e.g., 34 CPR 632.501.) illinois educational Institutions may shakk be approved as Lenders by the Commission if approved by ED and if the following requirements are Lenders must meet the eligibility requirements for Lenders as outlined in Section 2720.20, Lender Eligibility. 2720.30, Section i. outlined. 30 Institutions Educational (p G

Institution in The specific materials to be provided by an seeking approval as an eligible Lender are: met.

An audited, certified, and preferably unqualified annual accountants (CPA). The statement must cover a period of no less than 12 months and be no more than 12 months old at the time of submission. The CPA firm must express an acceptable Opinion on one statement, and the statement shall consist of no less than a balance sheet, a statement of profit and financial statement prepared by a firm of certified

the Institution's default delinquency experience as a Lender in the Pederal Perkins loan Program, Institution's educational costs and refund policies; FFELP, and or Federal Insurad Student Loan (FISL) Statement anda loss, and all attendant notes thereto; institutional catalog, A statement 6

solicit further data from ED or the Institution's service Institution's all servicing agency, if any, with respect to such records; the demonstrates administrative ability to comply which statement

U.S.C.A. 1071 et seq.) and a release to permit ISAC to

LLINOIS STUDENT ASSISTANCE COMMISSION MOTICE OF ADOPTED AMENDMENTS

- requirements of the program;
- Bank and other credit references and a release to permit the Institution's A statement explaining the source of ISAC to inquire of these references; E)
- A statement providing the amount of Lending authority sought for the applicable fiscal year and an estimate of the Lending volume expected in each of the two succeeding fiscal lending capital; Vears: and 6
- Any other materials which might be requested by ISAC to show In addition to the above materials, a school which is organized the Institution's porential qualifications as a Lender. 5)

on a for-profit basis will be requested to submit a:

- its admission/sales staff and their Copy of its student contract; ö Description
 - Statement of the Institution's drop-out/completion rates; functions;
- Institution in the last two years. In addition to these materials, ISAC will secure a Dun and Bradstreet Report on the Institution, a statement from the Better Business Bureau with regard to any consumer complaints, and a statement from Description or copies of student complaints filed with Sample of the Institution's advertising materials; and 66
 - The applications for eligible Educational Lender status in the ISAC staff shall inform the applicant Institution of its proposed recommendations to the Commission prior to the meeting Institution shall also be informed of the recommendation for its annual lending limit, as well as any additions to the lender agreement which ISAC feels are prudent in individual instances to protect the default record of ISAC. The Institution shall also be informed that if it is not in agreement with any ISAC staff Commission meeting and will be allowed to state its objections. an ISAC will execute a Lender Agreement wasch The Applicant Programs and the supporting documentation shall be reviewed If the Institution is approved by the Commission as recommendations, it is entitled to representation at at which action on the application will be taxen. the Institution's accrediting association. Educational Lender,
 - The Institution's agreement to abide by the Rules of ISAC; will include:
- CFR 582.501 tabeled-ss-Appendix-A-sf-tois list of required activities of Educational Lenders A statement of agreement including, or referring to, outlined in 34
- Federal Regulations with respect to loan Disbursements and A statement of agreement including, or referring refund application; G
- A statement of agreement including, or referring to,

LLINGIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- be later than the end of the first full fiscal year following the negotiation of the contract, at which time its An expiration date of such lending contract which shall not Federal Regulations definition of "due diligence"; and renewal shall be considered by ISAC. 6
- A loan quarantee shall be canceled if the Educational Lender fails to comply with Federal Regulations, statutes, ISAC Rules, or procedures, provided such failure .mpairs ISAC's ability to recover the expense of reimbursing the Educational Lender for the defaulted loan. Û
- ISAC conducts compliance reviews to determine if approved Educational Educational Londers that do not maintain the geardaids of administrative capability or financial responsibility denominated in their occanical perpendiculary of comparticipation, or required by Rederal their control of the comparticipation or required by Rederal Lenders are complying with Sederal Regulations, statutes and Rules. ç (a)

Regulations. May be michect to administrative Limitation, Suspension or Termination Proceedings, (See 23.111, Adm., Code 1730.) 91.4.7Reg. 1996 Source: Amended at

Section 2720.30 Institutional Eligibility

- Institutional eligibility requirements are specified in Federal graduate schools, schools of nursing, Correspondence postsecondary Institutions Eligible colleges, universities, Requiations.
 - Institutions must have executed a Program Participation Agreement with order to participate in ISAC-Guaranteed Loan Programs. business, trade, tecnnical, and vocational schools. Institutions/programs are not eligible. (See: 34 CFR 668.14 668+±2-et-seq.)
- When an approved Institution has a change of ownership resulting in a change of control, a change of location, or a change of name as Program institution has undergone a change of status affecting its participation in any litle IV federal student financial aid programs, the Fre Institution may have its eligibility reinstated by the execution of a new Program Participation Agreement with ED 1888 See e.g.: 34 CSR 600.30 er seq.; and by the submission and approval of a defined by Federal Regulations, the Institution's Participation Agreement with ED may be terminated. defined the Fre
- An Institution may not engage in loan origination activities. This prohibition shall not apply if the Institution has an ED-approved Origination Agreement on EL-approved Origination Agreement on EL-apply and ISAC and its (See: Section 2720.25 of this new application for participation with ISAC. approved as an Educational Lender. ô
- Approved Institutions shall provide ISAC with the current enrollment status of students whom the Institution has certified as eligible borrowers in accordance with Federal Regulations. (e

Part and 34 CFR 682,601.)

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Applicant and approved Institutions must demonstrate administrative as defined by Federal continue participation in ISAC-Guaranteed Loan programs. (See, e.g.: 34 CFR 668,14 and 668,15 capability and financial responsibility, Regulations, in order to degin and to 小班小班也是一个也然在我也一位的一位有一切也是有外面的自一也以其中也是我的 668+k3-et-seq.) £)

- of comoliance with federal laws and in accordance with ISAC appeal procedures. 'See 23 III' Adm. Cide 2700.73.) Institutions Jensed participation shall be allqible to reapply one year from the date of the initial ISAC letter denying Institutions wishing to participate in ISAC-Guaranteed Loan programs shall submit an application which shall include, but not be limited to: documentation (ED) and the state in which it operates demonstrating authorization to offer educational programs; previous audit and compliance reviews conducted by other guarantors and 2D: proof of accreditation; audited financial statements; student catalogs; promotional materials; policy and procedure manuals; documentation relating to default and student withdrawal rates; and other similar information requested by ISAC to participation. Participation will be decided by an examination of application administrative decision denying participation or immining eligibiling regulation and state statutes and rules. Institutions may appeal qualifications for materials and a determination Institution's show the (0
- capability or financial responsibility demonstrated in their original may be subject to administrative Limitation, Suspension or Termination the standards of administrative applications for participation, or required by Federal Regulations, Proceedings. (See 23 Ill. Adm. Code 2790.) Institutions not maintaining eligibility. G
 - the United States, is eligible to participate in ISAC-quaranteed linan programs provided it produces evidence to ISAC of current eligibility with ED (e.g., Program Participation Agreement, Instructional Eligibility Notice, etc.) or documentation of such eligibility is A foreign postsecondary educational Institution, located outside

Ill. Reg. (Source: JUL 11996

available directly from ED.

Section 2720.35 Holder Eligibility

- All approved Polders must execute an ISAC Holder agreement prior to participating on the subsidied and unsuosaidlaid redecal Istaford. Pederal Folds. Pederal Staford Staford and Staford Staford Staford Staford Staf
- Holders must have received 3D approval prior to executing a Moider
- The Holder agreement shall include provisions reguiring Holders to:

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Comply with statutes, Federal Regulations, Rules, and procedures;

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- Provide such information as ISAC may request relating to borrower demographics, collection records and other documents ISAC may (See: Section need to compiy with Federal Regulations. 2720.60(a) and 2720.79(c).)
- Holders and SAC snall may-agree-te electronically transmit and receive losn glarances data. ISAC snall provide the Holder with program focumentation and reasonable technical assistance related to ISAC and one Holder shall agree that the information and data shall be confidential and shall not be used, disclosed, sold or shared for any purpose other than those directly related to the administration of ISAC's Guaranteed Loan programs. electronic data exchanges. 5
 - Termination of the Holder agreement may be made by either the Holder or ISAC with entrey-+ 30 + days written notice. Termination shall not affect any obligations incurred prior to the time such termination ()
- Eligible Holders shall employ an adequate number of qualified persons In determining whether a Rolder employs an adequate students the number of applications evaluated and the amount of funds Rules and Pederal number of qualified persons, ISAC considers the number of to administer its responsibilities under the ISAC becomes effective. Requiations.
 - In addition to the provisions of subsection (c), the Holder agreement for insurance companies approved as Holders shall require: acministered.
- advertising and promotional materials consistent with Section 149 Feb of the Illinois Insurance Code (####-Revy-Stery-1991;-cnr-799; part-75t; [215 ILCS 5/149] and 50 Ill. Adm. Code 909; and
- compliance with Article XXVI of the Illinois Insurance Code (filt-Rev: -- Staty -- 1992 -- 1987 -- 987 -- 987 -- 982 -- 1898 -- 1894 -- 1942 [215 ILCS 5/Art. XXVI +21-throben-434].
- A loan guarantee snall be canceled if the Moider falls to comply with Federal Regulations, statutes, iSAC Rules, or procedures, provided such failure impairs ISAC's ability to recover the expense of reimbursing the Wolder for the defaulted loan.
 - ISAC conducts compitance reviews to determine if approved Holders are complying with Federal Requiations, statutes and Bules.
- vishing to participate in SSAC-quaranteed loan programs shall servicing/secondary market agreements; previous compliance and audit reviews conducted by other guadantois and the Department of Education; documentation relating to the percentage of student loans as compared loan portfolios: default cates; policy and previous and anticipated loan volume; and other similar information relating to student loans requested by ISAC to show the Holder's determined by an examination of those materials and compliance with procedures manuals; promotional materials; a statement relating qualifications for participation. Program participation vill Cantred submit an application which shall include, but not be installment to other Holders

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federal laws and regulations and State rules and statutes.

Ill. Reg. (Source: Amended at

effective

of a borrower's outstanding ISAC-Guaranteed Loans must be made by Section 2720.41 One-Lender Requirement A11 a)

- ISAC will issue a loan guarantee to a commercial Lender provided Lender agrees to make all types of Federal Family Education Loans (FFEL) to the borrower which the borrower requests and is the same Lender, subject to the following conditions: eligible to receive, and that
 - issued all of the borrower's previous ISAC-Glaranteed Loans: the loan is a subsequent loan and the commercial lender has A) the loan is the borrower's first ISAC-Juaranteed Loan;
 - holds or has purchased all outstanding ISAC-Guaranteed Loans previous commercial Lender(s), in the loan is a subsequent loan and the for that borrower from
- ISAC will issue a loan guarantee to an Scucational Lender provided that Lender agrees to make all types of FFEL to the borrower which the borrower requests and is eligible to receive, accordance with Section 2720.42 of enis Part. 5)
- the Lender is an educational Institution at which the borrower is currently Enrolled, and (A
- the borrower has previously made a good faith effort to obtain a loan from a commercial Lender pursuant to Federal Regulations. (See 34 CFR 682.601.)
 - The requirements of this Section shall not apply if: (q
- declared insolvent oy a regulatory agency, has terminated its the outstanding loans are held by a Lender which has been either agreement with ISAC, or has withdrawn from all PPED programs; ISAC is informed by the corrower, the institution,
 - that the portower has provided authorization to have andorms #5A67-th-weighthap--one--one-year Hendelt-4-pendendendendentand-tendendend-tende subsequent loans se lasued by a different lender:
- the borrower is requesting a subsequent loan and the Lender has loan program with a guarancee date prior to July 1, 1993; or the borrower's outstanding loan(s) was made in accordance with made a previous ISAC-Guaranteed Scan to that borrower for
 - Section 2720-40(c) of this Part, by a Lender of last resort. 7

(Source: AmgUEcd 1 8996

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Section 2720.42 One-Holder Requirement

- All of a borrower's outstanding ISAC-Guaranteed Loans must be sold by a Lender to the same Holder.
- sell all subsequent loans to the same Holder by no later or 180 days following the last disbursement, whichever occurs later; or in the event of untimely notification to the Lender of a no later than 45 days (See Section unsubsidized Federal Stafford Loan(s) or Federal SLS Loan(s) to an approved Holder, the Lender after the Lender became aware that the student ceased to than 90 days from the borrower's last date of attendance borrower's on at least a Half-time basis. student's change in enrollment status, any of subsidized or If the Lender nas sold ISAC-Guaranteed
- Subsidized Federal Stafford Loans, unsubsidized Federal Stafford Loans and Pederal SLS Loans which were made under the same common Application/Promissory Note for loan periods within the same Academic Tear must be sold simultaneously.
- If the Lender has sold the Applicant's previous ISAC-Guaranteed Rolder by no later than 90 days from the last date of attendance Federal PIUS Coans to an approved Holder, the Lender shall sell or 180 days following the last disbursement, whichever occurs later: or in the case of a late disbursement, the subsequent loan each subsequent Sederal PLUS Loan for that borrower to must be sold within 45 days following disbursement.
 - Upon notification by the Holder of the oldest previous loan, the Holder of any subsequent loan must sell that loan to the previous Holder, unless the corrower requests in writing that the previous Holder sell to the subsequent Holder. 7
- Failure to seil the subsequent renewal loan by the deadline shall result in the loss of guarantee. 9
- may be reinstated if, within 90 days after identifying a loan in violation of <u>subsection</u> subsections (a)(1), $(a)(2)_{\perp}$ or $(a)(3)_{\perp}$ or (a)(4) above, the Holder of Lander and initiates the sale of the loan to the eligible Holder who purchased the Applicant's previous loan(s). quarantee
- Initiation of the sale procedure within 90 days, and conclusion retroactively seinstate the guarantee to the day date the quarantee was lost due to a violation of subsection subsections 'al(4) above, provided no other of the sale before the day the loan enters Default Status, wil violation of Federal Regulation or State rule exists. (a)(1), (a)(2), or (a)(3), or
- the Holder will also result in a permanent loss of guarantee for Saliure to initiate the sale of the loan within 30 days after identifying the violation will result in a permanent loss of guarantee for that loan. Failure to ultimately sell the loan to

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- outstanding loans are held by a Holder which has been either declared insolvent by a requiatory agency, has terminated its agreement with ISAC, or has withdrawn from all FFEL programs. requirements of this Section shall not apply if: The
- ESAC is informed that the borrower has provided authorization to prevacus-Headenta-s-performance-and-requests-that subsequent Loans 200人是一个分子,也是那么对自己,也是一个是一个的一个的一个,也是一个,也是一个,也是一个,也是一个一个的一个,也是一个一个,也是一个一个,也是一个一个,一个一个一个, be held by seid-to a different Solder. 5

, effective Reg. JUL 1 1996 (Source: Amended

Section 2720.50 Procedures for Disbursement and Repayment

- Disbursement and repayment procedures are specified to Federal Requiations.
- Prior to Disbursement, the borrower(s) shall execute a completed application/promissory note(s) for the principal and interest on the Sender shall retain the original copy of the application/promissory note. The loan(s) teams. (q
- The Lender shall transmit to ED any and all statements and reports benalf. The Lender shall not collect or attempt to collect from the borrower(s) or ISAC any portion of the interest on the loan which is necessary to obtain Sederal interest payments on the borrower(s) payable by ED.
- dispurse the proceeds of any loan on the borrower(s)' behalf inless The Lender shall inform ISAC of all disbursement dates Except for loans pursuant to Section 2720.55, the Lender shall and until the Lender shall have received from ISAC evidence quarantee. (p
- Federal Stafford and Federal PLUS loan proceeds shall be transmitted directly to the Institution. (e)

SYSTEM.

- Acan-check. Jederal PLUS loan checks snall be co-payable or sent name of each student on whose behalf loan proceeds are being shall be payable to the student borrower unless the Institution reguires all loan checks to be co-payable to the borrower and the to the institution and the parent borrower. Sederal or Sederal binds transferred attents electronically or by Master Check shall be transmitted synthe Sender to the Enstitution along with information identifying the transmitted, and the amount being transmitted on behalf of that 1) Federal Stafford loan checks or electronically transmitted Stafford
- If the proceeds have not been disbursed to the Institution within 60 stxty days after the conclusion of the Term for which the loan or 90 days after the conclusion of the Term, it was intended, 5

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accordance with 34 CFR 682.207(d)(2)(iii), the loan guarantee If the student berrower has withdrawn from enrollment and Rederal exceptional circumstances are documented by the Institution in will be canceled.

Regulations require the Institution to submit a refund to the Lender, either electronically or in the form of a check payable to the Lender on behalf of the borrower, the Institution shall provide simultaneous written notice to the borrower student of If the Institution fails to issue a timely refund, as the refund.

defined by Federal Regulations, the Institution shall pay The penalty interest shall equal the total amount penalty interest. 9

interest and special allowance generated by the principal computed from the date the refund was due until the date the The penalty interest shall be or the refund amount. refund was issued.

be paid to the Lender or The penalty interest shall

The borrower(s) shall have the right to prepay without penalty the whole or any part of a loan guaranteed hereunder. Shiess-the-begrewer subsequent Holder.

schedule to a FFEIRP borrower no less than 30 days nor more than 240 days before the first payment on the loan's due from the borrower. The wanter or Holder shall notify 18AC of payment in full or the wanter or Holder shall notify 18AC of payment in full or or Holder shall notify the borrower of the options as soccified in 34 CPR 682.290 date on which the prepayment ettgiste--institution. The Lender or Holder shall send a reconvment のかりたするd-in-accordance-with-the-provisions-of-34-038-682-289+34available, 6

In accordance with Federal Regulations, the Lender or Holder may extend the maturity date of any note. Ef-the-bender-or-Holder-agrees aguteenmenteil-a-tootoennenne-lagreenmenteilagy-be-lagreeved-fort-a-perkod-es prepayment in full by the borrower.

Lenders may exercise administrative forbearances, which do not require the agreement of the borrower, as authorized by Section 128(c)(3)(D)of the Higner Education Act of 1965, as amended, and by Sederal to-one-jest-st-a-trae-

Borrowers are entitled to deferments, which extend the maturity date of any note(s), under conditions established by Federal Regulations.

Guaranteed Loan portfolio (e.g., deferment forms, forbearance forms). ISAC provides Lenders with the forms necessary for servicing their With advance ISAC approval, Lenders may use non-ISAC forms. ISAC shall approve the use of alternative forms provided the alternative form is combiesed-deferrent-agreement-and-any-corresponding-documentation-

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ISAC's data processing No note shall be sold or transferred by the Lender except to an ISAC-approved Lender, an ISAC-approved Holder, or ISAC. compatible with 1.5 and requirements. 5D-approved

Ill. Reg. 9147 (Source: Amended at 200

Section 2720.55 Rederal Consolidation Loan Program

of the Higner Education Act of 1965, as amended (20 U.S.C.A. ISAC shall guarantee Federal Consolidation loans pursuant 1078-3). a)

Lenders may make Federal Consolidation loans provided participation in the Federal Consolidation Loan Program consolidation-tonn-program is ISAC shall initially authorize a Lender to issue no more than authorized by the lender agreement. (See: Section 2720.29(a).) (q

A Lender may receive additional lending authority provided an compliance review indicates the Lender is complying with \$5,000,000 in guaranteed Federal Consolidation loans. Federal Regulations, statutes and Rules. SAC

applications and promissory notes shall be in a form approved by Lenders shall report to ISAC when a Federal Consolidation consoitéation loan is made.

Consolidation consolidation loans in accordance with Sections 2720.60 Lenders shall request preclaim assistance and reimbursement on Rederal and 2720.70. ç

Lenders shall pay the U.S. Department of Education all fees required of the Higher Education Act, as amended, for Federal Consolidation loans made on or after October 1, 1993. by Section 428C(f) (e

9147 Reg. 111. (Source: 301 1936

Section 2720.60 Preclaim Assistance

ISAC functions in a supplementary role to assist the lender or Solder days delinguent. After requesting preclaim Preciatm assistance, the Lender or Holder following information is requested with the request for assistance, if shall continue to -- proceed with normal collection activity. in its collection of a loan that is at least 30 a)

andy Soc.al Security Number sectat-security-numbery-and available: Name

Employer's name and telechone number: arare-driver-s-s-series

- Home address and telephone number; Identification of the problem:

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Date and amount of each payment;

Loan amounts; and

- days after the first day date of Delinquency. For accounts paid The request for preclaim assistance must be sent to ISAC no earlier than 80 days after the first day date of Delinquency and no later than Number of days delinguent. ĝ
- For 10 one-hundred or more accounts submitted in at one month, time the request for preclaim assistance must be submitted <u>electronically</u> on-computer-tage, in a format approved by ISAC, from which collection and no later than the 160th day of Delinquency.

less than monthly (e.g., quarterly), the request for preclaim assistance must be filed no earlier than the 140th day of Delinquency

- If a borrower's address is unknown, the Lender shall attempt to locate ortor-to--requestang--preciain--assistance----Phese--attempts--and-Watteten-and/or-telephone-inquirtes-to-ine-Enstitution;-the-borrower-at The Lender may enait file for preclaim or skip-tracing assistance when it has completed its skip tracing efforts<u>. If it has not already done</u> so, the Lender shall its for assistance within 1.1 days before og after atheir er-er-en the 30th day of Delinquency for loans due peak monthly, or at the 150th day for loans that are due paid less than the borrower pursuant to Federal Regulations. (See CFR 682.411. action can begin immediately. G)
- mollection assistance provided by ISAC after the loan is 120 days a Lender files for preclaim assistance, that Lender automatically filing for supplemental preclaim assistance monthly--whichever-occurs-first. delinquent). (e

9147 Reg. 111. (Source: Amended at 20 1 199£

Section 2720.70 Reimbursement Procedures

- If a borrower dies or becomes permanently and totally disabled, the Lender or Holder shall request reimbursement from ISAC within 60 days from the date the Lender or Holder receives a completed request for loan cancellation or forgiveness. a)
 - Requests for default reimbursement must be submitted to ISAC no earlier than 180 days after the first <u>day</u> dere of Delinquency and no there than 270 days after the first <u>day</u> deer of Delinquency. The Londor of Rolder and the reimburged, in accordance with Federal Lender or Holder shall be reimbursed, in accordance with Federal Regulations and the Higner Education Act of 1965, as amended. In the case of a default on a Federal PLUS loan, the borrower, Co-maker and Endorser must meet the default criteria contained Requiations. (q
- The Lender or Rolder must request ISAC reimbursement for a bankruptcy claim in accordance with Federal Regulations and the Higher Education

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for reimbursement must be submitted within 30 days after the Lender's or Holder's receipt of notice that collection on the debt is stayed, A copy of the restraining order and the appropriate papers must be included. In the case of a bankruptcy involving a Paderal PluS loan, the borrower, Co-maker and Endorser must meet the bankruptoy criteria Prior to reimbursement, the Lender or Holder must certify compliance Act of 1965, as amended. (See, e.g.: 34 CFR 682.402.) contained in Federal Regulations. ç

- Prior to reimbursement, the Lender or Holder must have remitted the with federal due diligence requirements and subsection (h) Section. (e
- behaif of the porrower after default reimbursement and shall advise The Lender or Moider shall forward to ISAC any payments made by or insurance premium established by Section 2720.30.
 - Prior to reimbursement, all original mores or detuiled, true and act opes of original notes must be properly endorsed and scholized to ISAC. If the notes are been ecroneously axamped "said in Pull", or lost, the Lender or Bolder small execute a Toold hamiless appresent. ISAC of any subsequent information received concerning the portower. with ISAC.
- No fee or charge to the borrower, other than the maximum interest tate prescribed by ED and the collection charges outlined in Section 682.2C2 (f) and (g) of Pederal Regulations, including the student insurance premium, and the federal loan origination fee, shall contracted for or received by the Lender. 6
 - The lender or Holder shall make a proper collection effort in accordence with acceptable practices of prudent lending Institutions including, but not limited to, the collection activities required by
 - ISAC shall collect one outstanding amount on the reimbursed Guaranceed Federal Regulations. (See, e.g.: 34 CPR 682.411.)
- Loan. If the borrower reduses to retire the debt, ISAC shall follow Should a borrower refuse to retire the debt, ISAC shall direct the State Comptroller to offset any payment from the State Treasurer the requirements of Federal Regulations. (See 34 CPR 682,416.)
- the borrower. The funds offset shall be remitted to ISAC and credited against the debt.
 - 1) All offsers shall be processed in accordance with 74 Ill. Adm. ISAC shall not direct an offset if the borrower has maintained Code 285.
- (See: 23 Ill. Adm. Code repayment record. 2700.40(a)(1).) satisfactory
- ISAC small notify a porrower of the possibility of an offset no less than fifteen days prior to the first offset. ISAC shall not provide additional notice of subsequent offsets for the same will be processed in accordance with 23 III. Adm. Code 2700.70. If the requested relief is granted, the funds offset shall be filed within fifteen days of the date of the notice. debt. Should the porrower dispure the debt, an appeal

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- returned to the borrower.
- state income tax refunds and the wages of State state are not Funds eligible to be offset include, but employees. State
- administrative review of the legal enforceability or past-due status of the joan obligation after it pays a default claim but before it reports the default to a credit bureau or assesses collection costs against the borrover, in accordance with Federal Regulations (34 CFR opportunity shall provide a borrower with an ISAC ÷
- ISAC may garnish the disposable pay of a borrower if the individual is currently making required payments, in accordance with Section 188A of the Higher Education Act.

effective Reg. 111. (Source: Amended at ADD: 1 100.

Section 2720.80 Student Insurance Premium

- ISAC charges each borrower and insurance premium on each Guaranteed The premiumis) premsum-is collected by the Lender and must be ISAC no less frequently than monthly by-the-tenth-day-of (0
- The amount of the premium collected on each loan shall be no greater The exact amount of the insurance premium shall be computed by ISAC disclosed to the borrower on the notice of guarantee/disclosure than the maximum permitted by the Higher Education Act, as amended. statement. The rate of the insurance premium shall be determined by When establishing the rate of the insurance premium, the factors to be considered by the Commission the solvency of the Student Loan Revolving Pund, projected Application volume, and the timeliness of payments from ED pursuant to the Higner Education Act of 1965, as amended (20 U.S.C.A. 1071 et the Commission. resolution include:
- Ce with Sederal Requistions. (See 34 CFR (V1).) after-one-coan-check-nes-recent-cadorsed-rey-che Refunds Me-refunds of insurance premiums shall be made to the borrower accordance
- The insurance premiums shall be deposited in the Student Loan Revolving Fund. In accordance with Federal Regulations, such proceeds may only se used to reimburse lenders for defaulted Guaranierd Loans, to pay the to pay for the administrative expenses of ISAC or reinsurance fee assessed by the Department of Education. ç

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III. Reg. 9147 (Source: Mended 1996

effective

SUBPART B: ILLINOIS DESIGNATED ACCOUNT PURCHASE PROGRAM (IDAPP)

Section 2720,105 Summary and Purpose

- The Commission provides a secondary market for ISAC Guaranteed Loans through the Illinois Designated Account Purchase Program (IDAPP). ISAC's secondary market reduces the administrative expenses of Lenders and increases the availability of Guaranteed Loans.
 - Through IDAPP, ISAC purchases eligible loans from IDAPP-eligible between the eligible lender and ISAC, and the eligible Also through IDAPP, ISAC services eligible loans from IDAPP-eligible Services provided pursuant to this Subpart are conditional Sales to ISAC are conditional upon the execution Lender's good faith compliance with the contract. enders. Lenders. contract (q 디
- upon the execution of a contract between the eligible Lender and ISAC. effective Reg. (Source: Amenced at

Section 2720.120 IDAPP Eligible Loans Original Contract Program

(a)

- Guaranteed Loans for which the borrower has failed to meet other contractual obligations. Loans in default are not eligible for purchase and should be submitted for reimbursement in accordance 1) ISAC will purchase Guaranteed Loans which are no more than 90 days delinquent on installments of principal or interest and with Section 2720.70.
- Under this program ISAC will also purchase quaranteed boans in deferred status because of the borrower's unemployment or which have been granted a forbearance by the Lender.
 - have an annual cumulative average loan size of at least \$2,000. All accounts submitted for purchase must
- loan bender must be in compliance with Federal Regulations and ISAC Rules up to the date of the sale. ISAC will decline to purchase if the Lender cannot demonstrate the loan was originated and serviced in accordance with all program requirements. account The
 - If a Lender requests ISAC to purchase an account that was previously rejected for purchase by a different secondary market, ISAC will purchase and account only if the loan is current (not in Delinquency status) and has an ourstanding balance of at least 53,500.
 - In cases where a borrower's loan is held by ISAC and the borrower requests a renewal loan, and where such borrower cas established a satisfactory relationship with ISAC, the original Lender must agree to make the renewal loam to the borrower with the understanding that such ô

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be purchased by ISAC to consolidate the student's indebtedness. (See: Section 2720.42.) Default Prevention Program

- purchase the additional types of Guaranteed Loans specified in purchase must have an annual cumulative average loan size of at contract authorizing subsection (e)(2) of this Section. All accounts submitted participation in the Default Prevention Program, In cases where a Lender executes a
 - ISAC will purchase the following additional types of Guaranteed least \$3,500. Loans:
 - ail deferred loans;
- from borrowers who have failed to respond to the loans from borrowers who have moved; loans
 - loans from graduate student borrowers; and Lender's written inquiry:
- under any preceding criteria Upon the sale of an account to ISAC, the Lender shall report the Lender. The Lender shall not adverse the borrower's credit rating. transfer of ownership to the credit reporting agency utilized by loans that do not fall classification. 6
- ISAC may also purchase eligible loans as defined in Section 135 of the Higher Education Student Assistance Act (FELT-Revr-State-1992--ehr IECS 947/135].

effective 9147 Reg. 111. 20 (Source: Amended 11996

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Section 2720.APPENDIX A Required Activities of Educational Lenders (Repealed)

- 何なの一日のななのかない」というこののこのできましまなな一番のなっかの「一番」「「「「「「「」」」の語:「「「はなるな」」ののは、「「「「」」ののは、「「」」ののの desiónstraten--saca--sacaty--by--by---bequiring---esca--acausinang---aca---aca Pederak-Restantantens-tSee-se-SER-598-598-598-1
 - When-reductions to a respect to 1001-100-100-100-1-10-1000-1-1-100-1-1-100-1-1-1-100-1-1-100-1-1-100-1-1-100-1-1-100-1-1-100-1-1-100-1-1-100-1-1 1 ÷
 - からしゃ 小田 ないかか かから こうかん からない からない からない からない からない しゅう なから からし 一小田 なりとなる おびじ ニータ 記録 **をです!!申17日間とのが!!のホーー間ですす!円用刀のアーボの小型アー大地の小のものもれになー大には「カアのカトしゃかなり」引きたののななな** TENAMEROR COUNTY -- mint -- medecine and entrant - m + mexico and -- min -- - medicine and experience Page 10 to 1
- からだーのかくからと、だらかかだからかかだが、ものか!なか!」からからいのだか!」なな!」だかかま!」となかというかなか!」をなだられない。 の上級をサートのピケートでのボーにからかからかかったからを打したからかのしかのしのこのなのかのを取りむ!Aのは一方のセストでもなるようののなが のかだがらかしかにもおおりを一だかかアインがアープのは、だけ一だのなわかの一かなだなーとながなかでなかしなのだとのものでしてもものならのの +
 - トルビを見ぶらりになる。のかればだけにはない」のだとのことになどとしたものからからのはしたのなる or-other-rems-ef-each 5.
- のだか!!如う!:そのでは何になかないが!!かのまたいかだのか!! かねからやま!!かのまだ!!かのじだかが!! 日間にわれたおのかでは!! のない Detroverse ..
- 上のにかりかれば、このので、一日の日の日の日、日本一日の日の日、日のの一日の日の日、日におはの日 44

å

- With Battanteronal-bender-rather-contrator-rather-and-senvenng-and-rathereness **作品のできならましている。このは、こののでも形のできなった。なっちゃのできるののののは、一切のには色のは、こののは、そののにくそのの** HO-modelecteriosation-marin-ma *のこのは、100mmのは、100mmのでは、100m 46
 - のこれがは、100mmのでは、100mmでは、100mmのでは、100m をおけれて、「中心」「ひかったのか」のは、これではないできます。「あったり」であるのではない。「なったったり」であっていません。
- のだか・- かりかかをかりのからなかさないの。のだかしまのかかのしない。それないのかとなっただったなのだを引き返れてのからなりないなってない。 sutte-nte-nte-nesė.
 - ●のやさで・・・ロビドウにもワイトル・・・のもとので・・・をじか・・・を切けやぶら・・・大きに・いものにもぶしぶほどのともあるなな日本もなり だの中のかれだいかの!!トロックのもななが!!如か!トロピザーかだれなかな?!だか!なかかのかなだのなっしかなったかなだ!だのかのかになるない +++

9147 Reg. 111. (Source: Reful!ed 1996

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: General Provisions
- 23 Ill. Adm. Code 2700 Code Citation:
- Adopted Action: Amended Amended Amendad Section Numbers:
- Bucasion Student Assistance Act [110 ICS 947/80 through 175], Title IV of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1070 et seq., as amended by P.L. 102-325); and authorized by Section 20(f) of the Higher Education Student Assistance Act (110 LCS 947/20(f)); Implementing Sections 80 through 175 of Statutory Authority:

Amended Amendad

700.55

7

- July 1, 1996 Effective Date of Rulemaking:
- Does this rulemaking contain an automatic tepeal date? No (9
- Does this rulemaking contain incorporations by reference?
- Date Filed in Agency's Principal Office: June 10, 1996
- Motice of Proposal Published in Illinois Register: Pebruary 2,

1996,

Has JOAR issued a Statement of Objections to these rules?

Ill. Red. 1824

- <u>Difference(s)</u> between proposel and final version: A few minor, technical changes were made in response to comments from the public or suggestions SAC selleyed that schools would have had sufficient notice to meet the proposed new deadline date for submission of claents. While ISAC is still inverested in accelerating the processing Additionally, Section feedback from we decided against pursuing the amendment because some institutions were concerned that their governing ocards would 2700.50(g)(l) was revised to specify that residency verification need not se performed for students who have received MAP awards during the to withdraw Section 2009.30(e) because provesion. be able to comply with the requirement proposed to Section timetable for its programs, Although school budgers (from June from JCAR staff.
 - Have all the changes agreed upon by the agency and JGAR been made as preceding year, regardless of any changes in their dependency status. indicated in the agreement letter issued by JCAR? Yes

Section 2700.40(1) clarifles that applicants for ISAC administered

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Will this rulemaking replace an emergency rule currently in effect? No

Are there any amendments pending on this Part?

State and Federal statutory amendments, and to clarify issues that have ISAC annually reviews its rules in order to respond to market changes and client suggestions, to implement arisen during the previous year. In addition to making minor technical grammatical changes throughout this Part, ISAC adopted the following the Commission, effective July 1, 1996, and that person shall serve as a 7700.30(i)(l)(B) have been moved to other Sections of this Part where they fit more logically. In Sections 2700.30(1)(3) and 2700.30(1)(4), the word "shall" has been changed to "may" to more accurately reflect that approval for institutions to participate in ISAC's programs is not automatic upon SAC U.S. Department of Education (ED) to all institutions participating in :ts student financial assistance programs, allows ISAC to more effectively 2700.30(1) has been added to clarify that institutions with more shan one OPE-ID number will be treated as separate entities. Section 2700.30(m) loans made under Title IV of the Higher Education Act from The term "dependent student" conditions of eligibility outlined in that Section. Section 2700.30(1) (DPE) has been added to require each institution to submit to ISAC its Tederal process payments through the State Comptroller's office. The provisions eligibility for ISAC assistance. As a result, defaulters on Federal Loans are treated the same as borrowers who defaulted on other types of student loans. Due to frequent changes in the federal regulations governing the administration of the federal guaranteed student loan programs, the specific details contained in Section 2700.40(a)(1)(A) govern the remarkarement of eligibility for borrowers who had previously This will allow ISAC rules to be more current by reflecting changes to federal regulations as they occur, without the Section 2700.40(a)(1)(C) has been amended to clarify the terms for which gift assistance eligibility may be einstated for borrowers wno had previously defaulted on student loans. Commission from none to ten members. P.A. 89-1419 added a new member Employer Identification Number (FEIN). This number is needed in order has been modified to reflect the increase in size of In Section 2700.20, the definition has been broadened to include recipients of tuition warvers, tho mad applications, but rather is subject to meeting the specific terms nas been amended to cequire that institutions participating in This ID number, assigned by Sections 2700.30(i)(1)(A) Postsecondary Education have been replaced by references to applicable federal regulations, of Section 2700.40(a) mave been broadened to exclude defaulters monitor important information, such as changes in eligibility. representative of public community colleges. Jo Summary and Purpose of Rulemaking: inadvertently omitted previously. identification numbers to this agency. need for frequent rules amendments. Office their substantive amendments: defaulted on these loans. report Direct Student programs types

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and clarifies that State law allows incarcerated students to receive senefits only under the Illinois National Guard and Veteran Grant within the same academic year. Section 7700.50(4) has been clarified and anovefficen Section 200.01(1)(1), Section 2700.50(9) has been revised on the Students who received NAP ward during the previous exademic year need not have their Illinost sestemcy "vestified again the Calloung year. Section 2700.55(g) has been deleased in its entirety since electronic data exchanges are becoming a necessiry and because ISAC wants to encourage programs are expected to comply with the Selective Service registration 2700.40(%) has been moved from 2700.30(i)(1)(B) Section 2700.50(c) has been modified to identify the specific time frame within which institutions must make refunds to ISAC for payments made on behalf of students who are no longer eligible for all or part of their awards. If refunds are made on a timely basis, ISAC will be in a better position to reallocate the unused funds to other students technological advances. Furthermore, many of the requirements in that subsection are conditions of initial or continuing eligibility and are contained elsewhere in ISAC's Administrative Rules. Minor revisions have been made to Sections 2700.70(4)(2) and 2700.70(4)(3) to reflect changes being made to Part 2790, and to clarify that an independent hearing officer's decision can be appealed to the Commission. documentation. Section

16) Information and questions regarding these adopted amendments shall be directed to:

Ms. Raquel G. Martinez Compilated Counsel Illinois Student Assistance Commission 1755 Lake Cook Road

Deerfield, IL 60015

847) 948-8500

The full text of the Adopted Amendment begins on the next page:

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ILLINOIS STUDENT ASSISTANCE COMMISSION NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES SUBTITLE A: EDUCATION CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2700 GENERAL PROVISIONS

73700.109 Manary and Purpose
7200.20 Definitions Definitions Engithing Sequirements
73700.10 General Institutions Engithing Sequirements
73700.40 General Applicant Eligibility Requirements
73700.40 Generaling Splittant Eligibility
73700.52 Electronic Deta Sections Sections
73700.53 Electronic Deta Sections
73700.50 Abpail Procedures

AVTOROITY: Implementing Sections 80 through 175 of the Higher Balacation Section Act of 1955, as American 1751 fittle 170 the Higher Balacation Act of 1955, as American 120 U.S.C.A. 1070 et seq., as amended by P.L. 1027-253; and autocoltest by Section 20(£) of the Higher Education Student Assistance Act [110 1026 947 20(£)].

900707. Adopted et 9 III. Reg. 17783, effective January L. 1966: samended et 11 ling and 17783, effective January L. 1966: samended et 11 ling and 17783, effective July L. 1978 and 17783, effective July L. 1978, effective Ju

Section 2700.20 Definitions

"Academic Level" - the classification of a student as freshman, sopnomore, junior, senior, or graduate student.

"Academic Year" - A twelve month period of time, normally from August or September of any year through August or September of the ensuing year. "Applicant" - Any individual who requests ISAC consideration for a sendarabip, grant, tuition waiver, or <u>Guaranteed Ican</u> gearanteed sona.

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"Chargeback" - Payment of tuition by the community college district of a student's residence to the community college district of a student's attendance. (See (110 ILCS 805/6-2.)

States, is a native-born or naturalized citizen of the United States "Citizen" - One who, under the Constitution and laws of the of America. "Commission" - The <u>ten</u> name member Illinois Student Assistance Commission created or Section 15 of the Rigner Education Student Assistance Act. <u>See</u> + 10 ILGS 947735_1 th

"Concurrent Registration" - The simultaneous enrollment at two or more institutions.

eligible to participate in any of the programs administered by the millions Student has asone commercial missible adding a mother instruction and subsequent Parts of the 1840 Aules) and another instruction "Consortium Agreement" - The written agreement between an institution whereby the second institution provides all or part of the education decision sagarding one amount, if any, and the destination of Einai of students entolled in the eligible institution. reserves the right, afrer review of the agreement, to make the Gift Assistance parmenc(s). шелбсие

"Dependent Student" - A senciarship, loan, tuition walver, or grant applicant or recipient who is not classified as an independent Student.

'BD" - The acronym for the United States Department of Education.

"Eligible Monclitzen" - For the purposes of these Rules, eligible noncitizen is defined as noncitizens eligible for federal student assistance pursuant to Section 184 of the Higher Education Act of L1965, as amended. (See: 20 U.S.C.A. 1991.)

institution's that the tending registration requirements and is attending student who has completed the ro ij 303535 Enrolled" - The

Executive Director" - The chief executive officer of ISAC.

"Federal Regulations" - Refers to regulations promulgated

codified at 34 CFR 530 et seg.

the United States by an organization that engages in education, Missionary" - An individual wno is assigned duty outside of The missionary philanthropic, humanitarian or altruistic works.

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have been engaged in placing Foreign Missionaries for at least Eive Wears. Examples of such missionary organizations include, but are not organization must be exempt from the payment of federal taxes and must limited to, the following: Peace Corps, Evangelical Alliance Mission,

'Pull-time Student" - An individual enrolled for twelve or more credit hours, for either a semester or quarter Term term.

scnolarship, grant or tuition warver, including but not limited to, assistance funds in the form Sederal, State state, institutional and private aid. "Gift Assistance" - Student

"Good Moral Character" - An applicant is of good moral character if the applicant will benefit from postsecondary instruction and is "Good Moral Character" - An applicant is of good moral character allowed to enroll at an approved postsecondary institution.

Sducarion loan Program (FFELP) which includes the subsidized and unsupsidined Federal Stafford foan, the Federal PLUS Loan, the Federal 'Guaranteed Loan(s)" - Loan assistance through the Federal Family Supplemental Loans for Students (SLS), and the Federal Consolidation toan programs. Maif-time Student" - An individual enrolled for six or more credit nours (but less than twelve credit hours) for either a semester quarter Term. "Independent Student" - For the purposes of these Rules, independent statements a defined by Section 100 of the Highest Education Act of 1965, as amended by P.C. 102-135. (See: 20 U.S.C.A. 1087w.) A non-independent student is referred to as a Dependent Student. "Institution" - Unless otherwise qualified, any secondary or postsecondary educational organization which enrolls students who "Institution" - Unless otherwise qualified, participate in ISAC programs. 'Institution of Record" - The postsecondary Institution at which a student is Enrolled and seeking a degree or certificate. This Institution assumes primary responsibility for certification of for ISAC-administered programs and for requesting payment eligibility

Assistance Commission: the administrative agency created by Section 15 of the Higher Education Student Assistance Act [110 ILCS 947/15] to ISAC" - The acronym for the Illinois Student

Mandatory Rees" - The charges assessed by an Institution institution

administer student assistance programs in Illinois.

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to each and every Full-time Student student for each Term term. Application, graduation, jaboratory, breakage and add/drop fees are For the purposes of these Rules, Tuttion specifically excluded. not a Mandatory Zee. the purposes of these Rules, "Parent" is defined at 34 "Parent" - For "Pell Grant" - A Federal Gift Assistance program administered by ED in of 1965, as accordance with Section 411 of the Higher Education Act amended. (See: 20 U.S.C.A. 1070a et seq.) "Regular School Year" - An eight to nine month period of time which includes two semester Terms or three quarter Terms. The Regular School Tear excludes summer Terms. Terms that begin after April 15 and end before September 16 are considered summer Terms,

at the postsecondary level and must be necessary for the student to "Remedial Courses" - The course work that prepares a student for study pursue the eligible postsecondary program.

"Resident of Illinois" -

A Dependent Student is a Resident of Illinois if the Parent of the dependent-Applicant, who is required by the instructions to complete the Free Application for Federal Student Aid (FAFSA), physically resides within the State of Illinois. An Independent Student is a Resident of Illinois if the Applicant physically resides within the State of Illinois (at the time of application), and has so resided for a period of twelve continuous, full months immediately prior to September 1 Academic Year for which assistance is requested. When an Applicant does not qualify as a Resident of Illinois of the U.S. Armed Forces or a Foreign Missionary, or is the dependent or the spouse of an individual who is a member of the U.S. Armed Torces or a Foreign Missionary, then the Applicant's under the preceding two subsections and the Applicant is a member residency snall oe decermined in accordance with this subsection. An Applicant who is a member of the U.S. Armed Forces will be a Resident of illihous if the Applicant physically resided in :mmediately prior to entering the U.S. Armed Forces, the conclusion of enlistment and can demonstrate (pursuant to returned (or plans to return) to Illinois within six months of Section 2700.53(f) and (g)) that his/her domicile was the State of Illinois throughout such enlistment. Illinois

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continuous months immediately prior to entering missionary Applicant who is a Foreign Missionary will be a Resident of Illinois if the Applicant physically resided in Illinois for six demonstrate (pursuant to Section 2700.50(f) and (g)) that his/her domicile was the State of Illinois throughout such missionary service, returned (or plans to return) to Illinois within the conclusion of missionary service, and service. BON'S &

notwithstanding the Parent(s)' temporary physical absence from Illinois provided the Parent's) would be a Resident of Illinois dependent-Applicant snall be a Resident of Illinois under the preceding two subsections.

upon physically occupying a dwelling within the State of Illinois the State was the result of residing with the spouse juring The spouse-Applicant shall be a Resident of Illinois immediately provided the Applicant can demonstrate that his/her absence from enlistment or missionary service outside of Illinois and onat the spouse-Applicant's domicile continues to be the State "Rules" - The rules of ISAC codified at 23 Ill. Adm. Code: Subtitle A, Chapter XIX.

institutional policy which For purposes of ISAC-administered programs, the standards must be at least as Section 484 of the Higher Education Act of 1965, as amended. (See: 20 U.S.C.A. 1091.) estabilsnes minimum standards of academic performance. stringent as those required by ED pursuant to Academic Progress" - An "Satisfactory

"Term" - A unit of time for student attendance, including, but not limited to, a quarter or semester. "Tuition" - The charge for instruction assessed by a postsecondary institution.

"Verification" - Procedures implemented by postsecondary institutions of Applicants. The procedures are to verify the sligibility of Applicants. The established by 34 CFR 668 er seq. and by these Rules.

9170 Reg. 111. 10 (Source: Johnended 11996

effect:ve

Section 2700.30 General Institutional Eligibility Requirements

ISAC Program Participation 1) All Institutions shail execute an a) ISAC Program Participation Agreement

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ISAC Program Participation Agreement shall identify the ISAC in order to participate in ISAC Gift Assistance programs under which the Institution's students may receive Drograms. The

provisions requiring Institutions to comply with statutes, Rules and Regulations. Agreement shall include The LAAC benefits.

The ISAC Program Participation Agreement may be modified or terminated in accordance with 23 Ill. Adm. Code 2730, Limitation, Suspension or Termination Proceedings.

With respect to ISAC student assistance programs, Institutions shall develop and maintain procedures to verify the consistency and accuracy ç

Institutions shall be subject to possible Limitation, Suspension or Termination of eligibility for failure to comply with statutes, Regulations, Rules, or procedures and for failure to maintain the participation. of information received from their Enrolled recipients. standards required by this Section for initial

Programs shall annually submit to ISAC a copy of both their Public postsacondary Institutions shall also submit a copy of their Institutions which participate in Gift Assistance Satisfactory Academic Progress Policy and their Tuition Refund Policy. policy establishing a minimum grade point average for recipients of grants pursuant to the Illinois National Guard Grant Program and the Program. Such suomissions shall not considered 13AC approval of such policies. (See: 23 Iil. Adm. Code 2790.) Illinois Vereran Grant Postsecondary ô

Postsecondary Institutions which participate in Gift Assistance Programs shall annually report their Tuition and fee charges, as well as advance payment requests, to ISAC on or before June 1 preceding each Academic Year. (e

Failure to report any cost changes by the deadline will cause the prior year's charges to be used as part of the calculation Failure to report the assessment of a fee charge by the deadline will result in that fee cnarge being ineligible for payment under ISAC process for Gift Assistance benefits.

The report shall match specific fee charges with the Gift the Institution snall not be considered ISAC finance the fee. Assistance program(s) which may Assistance Programs. categorizations by

IVG) Programs may finance only a portion of certain fee charges. Tuition and next book The Illinois National Guard Grant and the Illinois Veteran 23 Ill. Adm. Code 2730.i0(c) and 2733.20(f).) Example: One fee finances both approval. See: 3)

expenses. Only the portion of the fee which is attributable to Tuition expenses may be financed with program senefits. Institutions with such a fee shall certify what percentage of the fee is eligible to be financed with program benefics.

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Certification shall be performed by the Institution's chief fiscal officer.

Institutions shall submit additional reports, data and information to surveys, enrollment confirmations, and evaluation Additional institutional eligibility requirements are contained ISAC as may be requested. These inquiries include, t0, instruments. 6

Postsecondary Institutions may apply to participate in ISAC-Guaranteed subsequent Parts of the ISAC Rules. G

Postsecondary Institutions may apply to participate in ISAC Gift Loan programs in accordance with 23 Ill. Adm. Code 2729. Assistance programs in accordance with this subsection. ...

The Commission approves participation in ISAC Gift Assistance programs for an Institution rather than for specific acadenic *Anen-requesting--payment--of--benefitesy---Rustitutteng---sheri programs within an Institution.

このななななななー・なのののではあっていなながーーをいかのとしておはなる・・ロネイ・・リルのののなか Regulationst---whether--enfoklment--in--a-particular-academic program-qualtites-the--announced--reckptert--to--ciass--ESAE 下のおや中ののもの一つのものかのかだれ間であ

Are-ineligible-for-ESAC-Sife-Assassnee-oeseskis-

Prior to applying for participation in ISAC Gift Assistance programs, the institutional Applicant must have authority to operate a postsecondary Institution in Illinois. (See: Adm. Code 1030.)

Institutional Applicants which are fully accredited by the North approved to participate in ISAC Gift Assistance programs provided Institution meets and maintains the requirements of Central Association and maye degree-granting authority shall subsections (i)(4)(C) and (D) below. 33

subsection (1)(3) above may shark be approved to participate in Institutional Applicants which do not meet the requirements of obtained candidate status for North Central accreditation. ISAC Gift Assistance programs if the Institution has: 7

applied for and is seeking degree-granting authority.

east three letters indicating the of academic credit from the Applicant Monetary Award Program (MAP) and are fully accredited by the Institution to other Institutions. The letters must be from carticipate Institutions which are approved to least transferability 45 obtained

(See: 23 Ill. Adm.

North Central Association.

an adequate number of qualified persons to administer their responsibilities under the ISAC Rules. In determining qualified persons, the Commission considers the number of Whether an Institution employs an adequate number students aided, the number of programs in which

TOTTOE OF ADDRESS AMENDMENTS

the number of applications evaluated, the amount of funds administered, and the Institutional applicants must also supply ISAC with audited financial aid delivery system used by the Institution. participates, netirution

- financial statements, prepared by an independent third parry in accordance with generally accepted accounting principles, to establish financial responsibility. (See, e.g., 34 CFR 668.15 668v±3-amd-±4.) ŝ
- approved to participate in ISAC Gift Assistance programs by the Commission, an Institution shall receive provisional eligibility for a minimum of five academic years. On or before June 1 preceding each Academic Year, an Once (9
- institution with provisional eligibility snall annually submit three letters indicating the transferability of adademic credit to other Institutions for the following Academic Year. These letters must be from ISAC-approved MAP Institutions which are fully accredited by the North Central
- An Institution with provisional eligibility must petition be granted if the Institution meets the requirements of subsection (1)(3) above and if there are no outstanding the Commission for full eligibility. Full eligibility will Association.

audit exceptions.

- As a condition of eligibility for participation in ISAC student assistance programs, postsecondary Institutions shall nave a valid Program Participation Agreement with ED+ (see See: Section 187 of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1094)+) and
- shall report their Office of Postsecondary Education Identification [December 10 September 10 S federal regulations. See, e.g., 34 GFR 668-18, 5.68-16, 668-18--e-arg.) An Institution's failure to mee stand maintain force standards and and of institution, Suggestion of Termination proceedings. (See Institutions must also demonstrate administrative capability and financial responsibility, as defined by student assistance programs. ŝ
- Institutions that have been assigned multiple OPE-ID numbers will be COMBLIGACE SPORT SENSOR STATE STATE OF THE FRACE BROLOVER AND INS. Rederal Employer And Institution shall notify. SAC Of its Faderal Employer Identification. Wurber (FEIN) in order to seesive Jahman uses and the faderal seesive Jahman Company of the faderal seesing of a ạ

23 Ill. Adm. Code 2730.1

any ISAC-administered program.

Reg. 111. (Source: Amended at

Section 2700.40 General Applicant Eligibility R quirements

a) Except as otherwise provided by this subsection, an Applicant with a

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defaulted loan Gmarantsed-Soan made pursuant to Title IV of the Higher 1) Bligibility for Guaranteed Loans feature-terms may be reinstated Education Act or-s-defaulted-Perkins-Eoen-(29-8:5:8:29-3:1987sa) 1s eligible for benefits under ISAC-administered programs. in accordance with Federal Requiations and

- A) Eligibility for ISAC-Guaranteed Loans will be reinstated provisions: *Den*
 - the debt has been paid in fill;
- the borrower has tade a "sattisfactory sextinguismention おいのものののもの1-1をから1-1をおない-1のとの世界がある一下のなられの第一のの方の一大のないないかので #29Ptby--se-rese-Westee-Baseses-Actv-se-smessedy-and repayment arrangement", in accordance with 34 CSR 582.200 attranements
- in accordance with 34 CFR 582.405 59 トからの一だのかかおかちかの一ちもだすのは「もなか」から「十七十十八十十七十四の中十十七のなかなもの」」のか the borrower's prior defaulted loan(s) rehapilitated, この 一切を取むを行む上の数
 - the corrower has made three--consecutivey---yelumethry fait---monthly payments on a defaulted loan(s)
 - Borrowers are eligible to use subsections (A)(ii) .can(s) in accordance with under 34 CFR 582.201.
- Eligibility for ISAC-administered Cift Assistance will be (A)(iii) above only one time during the entire life of loan guaranteed by ISAC.
- reinstated for current and future Terms when the Applicant has maintained a satisfactory repayment record for at least six consecutive months or has met the requirements of al(11(A) above. Factors to be considered by ISAC in evaluating the repayment record include: the amount of the dept, the amount of the payments received by ISAC, the employment status of the Applicant, and the frequency of
- An Applicant for fillings Veteran Grant (TVG) assistance (23 Ill. Adm. Code 573) shall be permitted one Term of assistance during which a satisfactory repayment record, as defined by subsection If such a repayment second is not established, additional assistance snall be denied until a (a)(1)(C) apove, must be established.

the Applicant's contact with ISAC.

No Applicant shall receive ISAC-administered assistance if the Applicant owes a refund for any ISAC-administered Gift Assistance, a Federal Pell Grant, or a Federal Supplemental Educational Opportunity satisfactory repainent record is established. Q Q

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- Section 2700.50.) Failure to supply adequate documentation will result in the denial of student assistance An Applicant scall, upon request, provide documentation to and verify eligibility, (See: Section 2700.50.) Pailure Grant (SEOG) (20 U.S.C.A. 1070(b)),
- An Applicant supplying fraudulent data shall be denied assistance and may also be subject to prosecution by the Illinois Attorney General, United States Department of Justice and/or an Illinois State's 3
- All Applicants must signit their Social Security Number. Recipients who cease to be Residents of Illinois after notification of 9 (1
- eligibility may complete one Academic Year with the assistance Unless otherwise provided, benefits under Gift Assistance programs are subject to the limits of dollars appropriated to ISAC by the Illinois awarded.
 - General Assembly and approved by the Governor. Benefits under Gift Assistance programs are generally limited to the Regular School Year. If funcing is available, assistance for summer Terms shall be awarded When Sift Assistance eligibility is limited to a specified number
 - Perm payments, the eligibility cap is calculated in accordance with
 - For each semester Perm of full-time payment benefits, the recipient is assessed six eligibility units. For each quarter of full-time payment benefits, the recipient is assessed four eligibility inits.
- For each semester Term of haif-time payment benefits, the recipient is assessed three eligibility units. For each quarter Term of half-time payment benefits, the recipient is assessed two eligibility units.
- Sixty eligibility units are the equivalent of payments for ten Forty-eight eligibility units are the equivalent of payments for semestrars, filtreen quarters of full-time benefits.
- Applicant shail comply with shomic Selective Service registration ESQUIREDEDIS. OURSUART TO compliance ---documentation ---the postate contast. Instruction - sarrequired - y 34 CFR 668.31 et seq. eignt semesters, tweive quarters of full-time benefits.
 - Except for grants guzsuant to 23 Ill. Adm. Code 2730 [Illinois National Stated Grant Program) and 23 Ill. Adm. Code 2733 (Illinois Perecan Grant Program,, an Applicant must be maintaining Satisfactory Students Encolled in scademic programs while incarcerated are ineligible for ESAC bits Assistance benefits, except to littons Natural, fant frant and littings Wereran Grant program recipients. Academic Progress in socordance with the Institution's policy.
 - effective 9170 Reg. (Source: Amended

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Section 2700.50 Determining Applicant Eligibility

The evaluation of Applicant eligibility is the responsibility of both

the Institution and ISAC.

a)

establish

- application establishes prima facie eligibility. ISAC consults with cother appropriate state and federal appendixes in the process of reviewing application data. Such agencies include, but are no limited to the U.S. Department of Education (DD), U.S. Internal Revenue Service (ES), U.S. Hinguarion and Manufaction destroe (Revenue Service (ES), U.S. Hinguarion and Manufaction of Service (ES), Illinois Department of Public Aid, illinois Department of No Applicant is announced eligible for assistance by ISAC unless Revenue, and Illinois Department of Calldren and Family Services.
 - When requesting payment for ISAC <u>QLET Assistance</u> programs, the postsecondary institution must certify that to a<u>politions</u> ampleanes are estify that to apolitions are estimated as a secondary of the contract of the contr subsequentiy determines a student is <u>no longer elizable metitynoie</u> for 1810 eraber 2 iths warded assarance, new institution must inform 1867 and subsit the appropriate reduid winn bil days after ne receipt of payment of the end of a Term, whichever is later. Û
- When sequestric quivent if benedies, institutions shall dersity in a secondance size is 50 Muse and/or gedeau sequestricities in the first of the secondance spaces and the first of the secondance is a secondance of the first of the of
- Any program.
 If an instruction acroneously certifies an Applicant to be eligible, student who obtained ISAC-administered funds by submitting inaccurate ISAC will recover the erroneous payment from the Institution. to an Institution must tender restitution information e)d+
 - Det If an Applicant is selected for Verification in conjunction with ISAC programs even if the Applicant is ineligible for federal student A selected Applicant must be verified for Institution to be eligible for ISAC assistance at that Institution. federal student assistance, that Applicant shail also be verified ISAC-administered programs.
- include procedures for the following of Tilinois, provisions shall be followed by the Institutions. g)#+ Because 2D Verification procedures do not verifying a student as a Resident
- Notwithstanding the requirements of subsection (g)(2) below, residency verification shall not be required for students who received payment of MAP award during the previous Academic Year. 21+7 Residency status shall be verified for each Applicant who is Applicant for Verification and meets one Notwithstanding the requirements selected
- the Applicant has changed dependency status and has an Independent students or
- the Applicant has not been Enrolled in an ISAC-approved MAP the Institution has any information which indicates the Institution or an ISAC-approved Illinois Righ School (Section 2700.50) during the preceding tweive months; or

NOTICE OF ADOPTED AMENDMENTS

(or Parent) is an Illinois Resident, as defined in recorded on the documents must indicate the Applicant has resided 3)2+ One or more of the documents listed below may provide proof that Section 2700.20. For an Independent Student Applicant, the dates in Illinois for the relevant twelve continuous, full months. Applicant may not be a Resident of Illinois,

A valid state or federal income tax return Illinois High School or college transcript

Utility or rent bills in the Applicant's (or Parent's) name Illinois Driver's License 2 8 0 0 0 0 0 E

Residential lease in the Applicant's (or Parent's) name Illinois Auto Registration card

Statement of benefits history from the Illinois Department Wage and Tax Statements (IRS Form W-2)

the State of Illinois Identification Card issued by of Public Aid

of benefits from the Illinois Department of Employment Security. Secretary of State Statement

4)39 If an Applicant is a Resident of Illinois, but the Institution 119+ Institutions may request first Term payment even though Verification adjustment is appropriate, Institutions must submit the appropriate refund. If Verification is not completed within 60 days after the to ISAC. For other than the first Term of residency through 18AC's appeal process. (See: Section 2700.70.) If, after Verification, an ISAC payment conclusion of the Regular Scnool Year, the Institution shall return eligibility in an Academic Zear, the Verification process must be tettet above, the Applicant or the the first Term payment is not get complete.

1307 When an Institution adjusts an Applicant's eligibility pursuant to Title IV, Part F, of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1087kk et seq.), the Institution shall retain documentation which demonstrates the appropriateness of such adjustment. completed before the Institution may request payment.

111. Reg. 9170 (Source: Amended at 1996

effective

Section 2700.55 Electronic Data Exchanges

- dara regarding Applicants. In return, Institutions and Lenders will provide ISAC with electronic data on Applicants as required by these ISAC will provide eligible Institutions and Lenders with electronic Rules. a)
 - Information on the availability of electronic data exchanges shall be provided in ISAC publications. To participate in electronic data exchanges, the Institution or Lender shall: (q

HILINOIS STUDENT ASSISTANCE COMMISSION

WOTICE OF ADDPTED AMENDMENTS

- execute a written agreement with ISAC, outlining the conditions meet the eligibility guidelines established by ISAC; of participation; and
- party responsible snall bear the cost of replacing or restoring the In the event the medium is lost, damaged, mutilated or erased, select a machine readable medium for teletransmission.
- documentation shall be confidential and shall not be used, soid, or ISAC shall provide program documentation and reasonable technical program shared for any purpose other than those directly related to the data and internal operations of the Institution, Lender, or ISAC. au to data exchanges. assistance related í
 - Institutions and Lenders participating in direct seletransmission data exchanges shall be provided with security procedures including access be responsible for implementing appropriate safeguard procedures to protect the codes and passwords. Institutions and Lenders snall (e
- state laws which regulate the privacy of, and access to, Applicant Sata. (See: a.g., the The Tamily Educational Rights and Privacy Act (20 U.S.C.A. 1232g)) The Preedom of Information Act +242x-Rey--State Higner Education Act of 1965, as amended (20 U.S.C.A. 1094); and 34 Institutions and Lenders shall comply with all applicable Sederal 19927-435-12457-1383-1-832-et-seqs> [5 1108 140]; Section 487 of integraty of the data transmitted or received. CFR 632.610.)
- ではの!」のも出力は一十月かれて、こののだの小田島のの!!トラルイでのな!」ではの・一の人のとなるか!」因のなかのには一十の男の人人のなら emera-tone-numeroporo-pre-transcente-tone-years-to-fixmonoria-pro-transcenter-transcenter-tone-tone-tone-tone-+5

Ill. Reg. 1443--6048-2723-28-834-2729-38-3 1 1996 (Source: Amended

Section 2700.70 Appeal Procedures

- Complainants must submit their appeal within 50 days of the date of an the administrative decision by ISAC. If a complainant fails to pursue an appeal within 60 days of an administrative (e) below, the complainant forfeits all appeal Complainants (including Applicants, Institutions and lenders) appeal an ISAC administrative Secision in accordance with administrative decisions rendered subsections (d) and including decision, Section. a)
- All appeals shall be submitted in writing, must specifically

NOTICE OF ADOPTED AMENDMENTS

the use of ISAC's appeal process and must indicate the specific ISSU(s) to be reviewed. Zach complainant shall be sent a written response within fifteen working days of receipt of their appeal.

D. A complainant may sentent my evidence when the complainant belives celeman to the issue presented [E. 1860 is not sale to make a devenantion based on the information powded her complainant may be complained by any or everyesed to supply additional worker convergence on the issue (e.g., income as sentents, 1860 convergence on the issue (e.g., income as sentents, 1860 convergence on the issue (e.g., income as sentents, 1860 convergence on the issue (e.g., income as sentents, 1860 convergence on the issue (e.g., income as sentents, 1860 convergence on the issue (e.g., income as sentents, 1860 convergence on the issue (e.g., income as sentents, 1860 convergence on the issue (e.g., income as sentents, 1860 convergence on the issue (e.g., income as sentents).

2) The standard of review is whether, based on the manifest weight of the stickney, the administrative decision(s) being appealed is consistent with statutes, Rules and Regulations relevant to the issue stockled.

o) As the organizations a describing a complainant may be represented by lead connect Execution 2006.90 (9)(4) (1) (1) Inches residence and 20 111, Adm. Code 270, Julian (State Scholar Genglander), Application Deposes ben

Applicant on appeal usings and opportunities.

The complexes said to when an appeal directly to the appropriate 1360 Namesch. An appeal may be pursued through the appropriate superconductions to appeal may be pursued through the appropriate superconduction. The Carteries Director, the Carteries Director. (See 2 111. Adm. Code 5375 Appendix A. Chen. 2 1111. Adm. Code 5375 Appendix A. Chen. 2 1111. Adm. C

on acception 2. Sections. (See: 2 111. Adm. Code 2375. Appendix A. Cabattabetto fizaci.)

Adjustment fraction are available for complainment who neve first used the procedures of subsection (4) of this Section. A hearing

and the requested. In action, a face for the state of the also of the Description of the Section. A sheeting the Description of the Description of the Section of the Secti

2) The independent hearing officer shall issue a recommended decision deserting in secondance with and subject to 23 III. Adm. Code 2790/10, Recommendeding

##nat Decisions.

3) Interconnection of a special of a sp

5) Commission inspections, as provided for by 23 III. Adm. Code 1790/DTG9. The consistence of this Admission as defined by the diministrative decisions as defined by the diministrative decisions. Admission and the consistence of the commission of the without notice mentioned to the China Admissions and decision about the viction days <u>Mitter</u> of the Commission's disposition of the about.

(Source: Americal at 20 111. Reg.

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

() Heading of the Part: Illinois National Guard Grant Program

2) Code Citation: 23 Ill. Adm. Code 2730

Section Numbers: Adopted Ac 2730.10 2730.20 4) Statutory Authorizy: Implementing Section 45 and authorized by Section 20(E) of the Mignet Education Student Assistance Act [110 InCS 947 45 and 20(E).

i) Effective Date of Rulemaking: July 1, 1996

6) Does this rulemaking contain an automatic repeal late?

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: June 13, 1996

9) Notice of Proposal Published in Illinois Register: February 2, 1996, 20 Ill. Reg. 1841

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differencial Several EXCREDE IN THE ARCHITECTUR. A Sew manner, reshorters from JOSA staff. Additionally, in Section 1770-101(1)(1)), the process "statisticity additionally, in Section 1770-101(1)(1)), the process "statisticity additionally in Section 1770-101(1)(1)), the process "statisticity additionally in Section 1770-101(1)(1)), the process "statisticity additional translational and the process policy" are explained atth faceographs gride point average "to access policy" perfect true "agilishative intenti-

12) Have all the changes agreed igon by the agency and JCAR been made as indicated in the agreement letter leaved by JCAR? Yes

13) Will this rulemaxing replace an emergency rule ourrently in effect? No

14) Are there any amendments pending on this Part? No

15) Signature, and Cargories and Calestandron Cale Advantagly services as no codes to except of the managements. And the managements are confident to expensive and interest supplements and set offers are an analysis and the managements. The management and the managements are settling the previous West, and addition to assure annotation settling the previous West, and addition to assure annotation settling the previous West, and addition to assure and the management of the supplementary assured that are annotated to settling the confident of the management of the m

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

clients had suggested that they do not always know which days are official be easier to calculate due dates based on 12 would business days, and calendar days. Information and questions regarding these adopted amendments shall be 161

Illinois Student Assistance Commission Ms. Saquel G. Martinez Compliance Counsel

1755 Lake Gook Foad Deerfield, IL 60015 847) 948-8500

The full text of the Adopted Amendment begins on the next page:

TLLINGIS REGISTER

NOTES STIDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESOURCES SUBTITUE A: EDUCATION

ILLINOIS NATIONAL STARD GRANT PROGRAM

Program Procedures 730.20

Applicant Eligibility Summary and Purpose

AUTHORITY: Implementing Section 45 and authorized by Section 29(£) of the Higher Education Student Assistance Act [110 IECS 947/45 and 20(f)].

espealed at 6 III. Reg. 3239, effective June 30, 1982; new rules adopted at 6 III. Reg. 3413, effective June 30, 1982; codified at 7 III. Reg. 1987; amended | 17857, americal at 11 | 11, 8ep. 10367, effective July 1, 750, americal at 15 | 11, 8ep. 10863, effective July 1, 1991, effective July 1, 1994, effe Adopted at 3 Ill. Reg. 4, p. 38, effective January 26, 1979;

Section 2730.10 Applicant Eligibility

- a) Students must file an application annually indicating the Institution are specified in Section to be arrended. Application deadlines 2730.20(d).
- Eligible Applicants will receive an Eligibilley Lerter from ISAC for each Academic Year following the filling of one application. This letter must be delivered to the educational Institution at which the student is Enrolled. Ineligible Applicants will receive written notification from ISAC of their ineligibility to receive
- ISAC verifies application data in consultation with the Illinois Applicants must have served for at least one year in the Illinois Department of Military Affairs when reviewing an application. program benefits. (q
- National Guard. Eligibility is available to any enlisted person or any company grade officer including warrant officers, first and second lieutenants, and captains in the Army and Air National Guard.
- Fees exempted by the National Guard Grant. Pees-exempted-from-payment 0

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ILLINOIS STUDENT ASSISTANCE COMMISSION

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general --- settytty---feesy----ges--for--which--the--reciptest--remains fitnanciariy-responsible-include---book-rentaly--iaboratory-air-fitgoty nea主され-thosurancey-room-and-coardy-parkingy---unicny--suppigy---hospiesiyathieticy-and-profestency-exame-

- The recipient is exempted from paying the following:
 - graduation fees: and requestration fees:

seneral activity fees.

- recipient is responsible for payment of the following: SCOK rental fees; apprently and supply fees;
- air ilight Sees: nospiral and nealth insurance fees: com and beards parking fees:
- Student union Sees: athletic fees; and
- must maintain an acceptable grade point average as proficiency or placement exam(s) and other similar fees. determined by the Institution pursuant to a published policy. Recipients
- Benefics are applicable to both undergraduate and graduate enrollment. Benefics may be used at Illinots public senior universities and at any There is no minimum credit-nour enrollment requirement.
- If a student is eligible for ooth a National Guard Grant and a MAP award, the National Guard benefits must be used first. A student cannot decline a National Guard Grant in favor of using MAP. filings public community college. 6
 - effective 9187 Ill. Reg. (Source: Amended at

1996

Section 2730.20 Program Procedures

- The Institution Fust request from each Applicant a valid Illinois National 3-ard Jeant Eligibility Letter. The Institution must complete and ISAC payment certafication forms which certify a) Payment Request
 - Social Security Number: Applicant's:
 - Amer
- enrollment: 000
- 2) One sneet is to de returned to ISAC for payment and the other acceptable grade point average Satisfactory-Academic retained by the institution for record and audit purposes, Progress.

b) Within the constraints of appropriation levels, two semestar or three

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ILLINOIS STUDENT ASSISTANCE COMMISSION NOTICE OF ADOPTED AMENDMENTS

quarter Term payments and one summer Term payment are made directly to the Institution after it officially certifies to ISAC that the Applicant has registered and is attending classes. No seminars or other special Terms are covered under the grant. Summer Term is considered the final Term of the Academic and fiscal Year.

- than 30 calendar :wenty-one-+214 days after they have been mailed Payment certification forms will be mailed each Term to the institution no earlier than the application deadline date for that Term. Payment certification forms must be returned to later to the Institution oy ISAC. Supplemental certification forms must be submitted to ISAC no later than 45 calendar therry -- +363 days after the original payment certification form was mailed to the Institution with the exception of summer Term supplements which must be submitted by the same deadline as the original payment certification for summer Perm. All certification forms received by ISAC after the designated dates will be paid or prorated during the fiscal lapse period (July 1 through September 30 following the conclusion of the fiscal year).
 - First semester and first quarter claims received by the deadline date will be paid or progreed, if funding is insufficient to pay all claims in full. Claims will be paid as follows: designated 2)
- If funds remain after first semester and first quarter claims are paid, then second semester and second and third quarter claims received by the designated deadline jare will be paid, or proretted if funds remaining are insufficient to pay all such claims in full.

 If funds still remain after the preceding claims are paid, B)
- if remaining funds are summer Term claims received by the designated deadline will be paid, or prorated, if remainin insufficient to pay all summer claims in full.
 - payments, claims received after the designared leadline In the event that funds are not exhausted by summer dates will be paid or prorated.
- If funds are still available when the preceding claims have been paid in full, ISAC will use remaining funds to pay or prorate claims for the balance of non-residents' Tuition for recipients and live out-of-state or out-of-district.
- Changes of address, name, status with the Guard, or Enstitution of will be mailed directly to the Verification of Applicants must file an application each Academic Year indicating the institution to be attended. No payment will be authorized for any Applicant until a current application is on file. The deadline for reported in writing to ISAC. Applicant's address recorded with ISAC. receipt of changes sent to ISAC attendance must be G

application will be September 15 for first Term, March 1 for second semester/second and third quarter, and June 15 for the summer Term.

institution of attendance changes must also be reported by these

NOTICE OF ADOPTED AMENDMENTS

dates.

recipients are entitled to receive benefits for the equivalent of eight semesters/twelve quarters of full-time enrollment. To determine the amount of eligibility a recipient has used, credit hours will be converted to "eligibility units" according to the following chart: Eligible (e

Ouarter School

Semester School

Number of Hours

- Recipients may continue to reapply and accumulate up to 36 units, In the event that the recipient withdraws from a course(s) orior a Term, eligibility units will be assessed in after which point eligibility for program benefits will cease. proportion with the total dollars that are paid. to the end of 3
- recipient has had any portion of his/her Tuition and fees paid, at least one eligibility unit will be charged to the recipient. Example: A recipient is Shrolled for twelve semester bours enrollment and incurs expenses of \$1:0.00 in accordance with Institution's Tuition refund policy. The recipient would use six sligibility units and would receive \$150.00 in at a cost of \$300.00. The recipient withdraws
- The eligibil: y units used for a non-credit course shall be the same as the number of eligibility units used for a credit course having the same, number of total faculty contact hours. benefits.
- If a current year Applicant is discharged or has membership extended by the Guard, ISAC will send a revised eligibility letter or ineligibility letter to the applicant. In the case of discharges, a copy of the letter will be sent to the Institution of record. G
- If a recipient ceases to be a member of the Guard in mid-term, benefits are terminated and the recipient is responsible for the costs will be pro-rated for that portion of the Term for which the Applicant is eligible, provided the application is submitted by the deadlines attributed to the camainder of the Term. If an Applicant becomes established in audstotion (d). Costs are prorated on the basis of the Institution's screduled days of instruction minus institutionally eligible in mid-term, in accordance with Section 2730.10(b), scheduled holidays and examination periods. 6

benefits equivalent to those received by in-state residents at the Illinois Institution; recipients attending out-of-district community Calculation: Joral suition costs divided by total instructional days = cost per day x days of eligibility = total proration. Out-of-state residence will receive Turtion and applicable 2

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colleges will receive tuition and applicable fee benefits equivalent to those at the in-district rate. Recipients shall not be responsible for paying the difference between in-state and out-of-state tuition nor will they be responsible for paying the difference between in-district and our-of-district tuinion. Payments on penalf of a recipient will be made to only one Institution

per Perm. For any Institution that has a Concurrent Registration opportunity, the same payment policy will be in effect as that used in the Monetary Award Program. (See: 23 Ill. Adm. code 2735.70(d).)

9187 Reg. 50 (Source: Amgnded 11836

STREET OF ADOPTED AMENDMENTS

- Heading of the Part: Illinois Special Education Teacher Tuition Waiver Program
- t) Code Citation: 23 Ill. Adm. Code 2765

| Section Numbers | Adjoint Actions | 2.65.10 | Americal Actions | 2.65.10 | Americal Americal 2.65.20 | Americal Americal Action | 2.65.10 | Americal Americal Action | 2.65.10 | Americal Action | 2

- Statiscry Authorizz: Implementing Section 55:15 of the Higher Education Student Assistance And 17:125 of \$5:15; and authorized by Sections 24(f) and 55:15; and 55:15
 - 5) Sifective Date of Fulenaking: July 1, 1996
- 6) Joes this suiemaking concein an automatic repeal date? No
- Does this tilenaking contain incorporations by reference? No
- 3) Dats Filed in Agency's Principal Office: June 10, 1996
- Notice of Proposal Published in Illinois Register: Pebruary 2, 1996, 20 Ill. Reg. 1848
- 10) Has JCAR issued a Statement of Colections to these cules? No
- Difference(s) between proposel and tinal variants A few minor, technical Offices were and in response to comments from the public or suggestions from forths staff.
- 12) Rave all the cranges arrest room by the specor and JCAR been made as indicated in the appearance latter asset of JCAR? The
- 13) Will this silensking replace in evergency sile durrently in effect?
- 14) Are there any amendments pending on this Part?
- Distinct and Controls and Silventing DAC Annually reviews the place in the control of the contro

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ILLINDIS STUDENT ASSISTANCE COMMISSION NOTICE OF ADOPTED AMENDMENTS

Occurred and the Source of Markette definition of the Banck of Convention and the Source of Markette definition of the Section 2000 to the Markette definition of Markette definitions and the Conception 2000 2000 to Markette definition of Markette defin

16) Information and questions regarding these adopted anendments shall be directed to:

Ms. Ratiel G. Mactine: Compliance Conformation Lilinois Student Assistance Commission 1755 Lake DOW Road Deeffeld, 50015 (847) 348-8500 The full text of the Adopted Amendment begins on the next page:

NOTICE OF ADOPTED AMENDMENTS

GRAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION EDUCATION AND CULIUPAL RESOURCES

ILLINOIS SPECIAL EDUCATION TEACHER TUITION WAIVER PROGRAM

Summary and Purpose 765.50

Act and authorized by Sections 2018) and 65-15(a)(2) of the Higher Education Student Assistance Act (110 ILCS 947, 20(E), 65,15, and 65-15(a)(2)]. AUTHORITY: Implementing Section 65.15 of the Higher Education 9881818108

SOURCE: SOre 4 19 111. Reg. 8354, effective July 1, 1995; amended at JUL 1 1996

Section 2765.10 Summary and Purpose

- encourages ourselve and sakoners and absensely illetted stidents to groundly illinois someoff sections in any area of Special Education. The Lilinois Special Education Teacher Tuition Waiver Program
 - This part establishes the Rules unich govern the Illinois Special Education Teacner Tyttion Warver Program. Additional Rules and Adm. 22de 2700. Defined terms are indicated by the first letter being definitions are contained in the General Provisions Part at 23 Ill. capitalized.

9194 Red. (Source: Amended at JUI 1 199E

Section 2765.20 Definitions

GARTHER LY SERVER TO THE STATE OF THE STATE Eligible Institution" - For the purposes of this Part, Chicago State をおり−−のだめ−のものだらのともの−切りと切り出るのの−のだね−切り−だひゃかしゃむかいかがしか! のだシーシのなだ! ののかからのものなるだけ

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operation and maintenance if buildings, the income if which is pledged Scholar remains responsible include: Tultipurpose Sees or any other fees such as book rantal, service, laboratory, supply, union bullding, hospital and medical insurance fees and any fees established for the purposes of this Part, the Sees that a Special any matriculation, graduation, activity, term or incidental fee. The fees for which to the payment of interest and principal on bonds issued by governing scard of any public university or community college. Education Scholar is exempt from paying include: Tees - "Des

Section 2765.33(b).

"Qualified Applicant" - An Applicant who meets the requirements of

of this Part, a Special Education "Scholar" - For the Scholar.

teach generals now to need the needs of all notified besignated as andicapped, yeth specified seatoned dissolutions extracrdinary special altonorum Restrices and factions of the first of the second of t COMPANIENCE OF THE PARTY AND THE PARTY TO THE TO THE PARTY OF THE PART Adm. Icde [16, Special Silvanin.] Sion myprogram preparts mandent to teach handcaped millians in initiation viru learning disabilities. (See 25 Icde 3 Icle 1, 12 and 1, 12 a.) Special Education" - A postsecondary educational program designed

"Special Education Scholar" - An individual who receives assistance under this Part. "Tuition Walver" - An exemption from paying the Tuition and Fees at an Eligible Institution.

9194 Rea. (Source: Amended at JUL 1 1996

Section 2765.30 Scholar Eligibility

- A completed applicantion must be received in 19AC's Describeld office on or before february 15 immedianely preceding the Academia Jean for which the scholarship is being reguested, in order to receive priority In addition to filing a timely application, a Qualified consideration.
 - be a United States Citicen or an Sligible Moncitizen;
- be a Pesident of Illinois: be an individual who has agreed to take courses that will prepare him/her for the teaching in a Special Education discipline of

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- a need sensor graduate of an illinous high school (or a student scheduled to graduate from an illinous nigh school by the end of the school leam to which the award is made) indictants in the upper half of his or her high school a person nouting a valid neaching destificate that is not in handicacced-orthines-or-checkres-witch-tearning-drasbittetes THE SAME OF THE PARTY OF 3
- be Enrolled, or accepted for encollment, on a full-time basis as indergradiane or graduane student seeking the discipline of Special Education;
 - attend, or plan to attend, an Eleatobe Institution; and certification in any area of Special Educations
- not have received the illinois Special Education Teacher Walver in the past.
- non-Validad Appliant may appeal a finding of celligibility in accordance of his late, Aem Color Elicity (Appeal Zerolessa First organization assistance, in eperal Industries Sciences Vill os notified if they are not Qualified Applicants. Applicants 6
 - ng Agreement Promissory Note, waich must be submitted to ISAC. The Deaching Agreement Fromtsaory Note shall include the fallowing: $1) \ \ \text{a} \ \ \text{picture} \ \ \text{ in the part of the Sonolar to teach in the field of$ Toad:
- practation of the mination of anticinent in any recognized public. Special Education for two of the five years immediately
- a curtable suppulation that, if the teaching requirement is not Education Sendlar must repay the entire amount of the Puitton proceded to the fraction of the teaching obligation not the sonolarship converts to a loan and the Special private or parcental sensol in illinois; and
- with syldence of compliance with program requirements (e.g., completed, plus interest at a date equal to 5% per annum; andr aproord or low-up guestionnaires, etc.). a furner stigulation that the Scholar agrees responses to annual
- Education Senduar shail not be in violation of the teaching tous may defer repayment as set forth in subsection serves, for you note coan four years, as a member of one United (d)(2) of ones Section, if one Special Education Scholars agreement, and A Special (0
- disabled, for not nore than three years, as States acres services
 - is pursuing a postgraduate degree and is annulled on a full-time established by the sworm affidavit of a licensed physician:
- full-time empioyment as a Special Education teacher, and is able is seeking and mable to find, for not more than two years,
 - course of study leading to a teacher to provide avidence of that Sacty or Watehdraams.
- centification in Special Education but remains Enrolled on a full-time cases in another academic discipline. A Special Education Scholar shall not be required to pay the amount of

NOTESTANDED ASSESSED COMMISSION

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the Tuition and Pees valved if s'he becomes permanently totally disabled, as established by the sworn affildavit of a licensed physician (see e.g., 34 CPR 653.42(k)(i)); or if his or her representative provides ISAC with a death certificate or other evidence that the Scholar has died.

effective III. Reg. 9194 (Source: Amended at

Section 2765.50 Institutional Procedures

- Tuition Warrers are available towards oredit for any semester quarter Within an Academic Jear.
- When a Special Sducation Scholar graduates, withdraws, or otherwise Ceases to be Entolled to a Specia. Education program, the Institution shall centify to 18AC the total amount of Illiation and Fees that the been waived on senaif of the Special Education Sonclar. 2
 - A Special Education Scholar scall of exempt from paying Tuicion and Rees at an Eligible Institution for up to four calerier years.
- The Art Action 1 has a stoom of the Stoom of
 - assistance inder the Monetary Sward Program (23 Ill. Adm. Onde 2735), for coth a Tuition valver and forfield his or her eligibility for assistance inder this Part. If a Scholar is eligible 6
- Special Education Scholars Tust be Enrolled at an Eligible Instirution the president of the Eligible Institution, or her or his designee, for Sowerer, leaves of absence may be aganted the Tuition Walver must be used first. on a full-time basis.
 - aliness of one Sonotar or a member of the Sonotars immediate family, as astablished by the storm statement of a licenses 1) sating Junds to Galray the Scholar's educational expenses: 2) aliness of the Scholar or a member of the Scholar's own the following reasons:
- A Special Education Scholar must complete his or her course of study military service.
- Within SIX years including learwers) of accence. Wowever, a leave Acceded granted for millitary service shall not be considered garn of JSAC soall be roteled by the institution of a Scholar's leave(s) the six rears within which a Scholar hist complete a legise. c
- Reg. (Source: Julinded 1998

- Heading of the Part: Illinois Veteran Grant (176) Program
- 23 Ill. Adm. Code 2733 Code Citation:
- Adobted Action:

- Statusory Astrockiv: Inglementing Section 40 and authorized by Section 200(f) of one Hunbert Student Assistance Act (110 IECS 947/40 and
- Effective Date of Rule(s) Amendments:
- No. Does this rulemaking contain an automatic repeal date?
- Does this amendment contain incorporations by reference?
- Date Filed in Agency's Frincipal Office: June 10, 1996

Notice(s) of Priposal Supilaned in Tilinois Register: February 2, 1996,

Has JOAR issued a Statement of Josephons to these tule(s)?

Ill. 369. -354

- <u>Difference 11 serveen proposed and final regions</u> one whost technical consignates and and the public Additionally. Section 1730,50(c), which person person processing and vouchefully the Constraints, was anended so nown oftens yound independent the role of the State Comptroller in processing payments for the grant program.
- Mayo all the changes squeed join by the agency and JOAR been made indicated in the agreement letter issued by JOAR? Yes
- Will crase amendments caplade an emergency cule ourrently in effect?

Are there any amendments pending on this Part?

Office and Depose of Memberras and Annually oversets to tele in office or employed by Memberras and Librar approximate to Unperson for and definition in marker promises and the object (see a law are access described in markers of the deficient of marking annot seem to access described in the control of the control of the control of access described in the control of the control of the control of access described in the control of the control of the control of access described in the control of the control of the control of access described in the control of the control of the control of access described in the control of the control of the control of access described in the control of the control of access described in the contro service in order for 18AC to verify the illinois residency of the veteran. In Section 2733.30(a)(3)(C), the form number of the emlistment contract clarify that an applicant must pocytide documentation for all periods of has been updated and a parase has been added to parallel the clarification

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The wording in Section 2733.30(b) has been revised to simplify the process by which an instrubing can verify a vectors a finite, alighbling. Sectors, 2793.700 has been assend to include a finite face of August 55 for object requests, which quives ISAC sufficient time to process claims by the end of the state fiscal year lapse period. If an institution were to miss that date, it sould attempt to seek payment through the Court of Claims. provided in subsection (a)(3).

Information and questions regarding these adopted tules amendments shall be directed to:

Ms. Raduel G. Martines Compilance Toursel

William Student Assistance Commission

1755 Laxe Sick Foad Deerfield, II 67015

(847) 348-8500

The full text of the adopted rules amendments regin in the next page.

STREET OF ADOPTED AMENDMENTS

SUBILIZE A: EDUCATION CHAPTER XIX: ILLINOIS STUDENZ ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CUITURAL RESOURCES

ILLINOIS VETERAN GRANT (17G) PROGRAM PART 2733

Summary and Purpose

Program Procedures Grant Eligibility 2733.20 2733.20 2733.30 AUTHORIZIY: Implementing Section 19 and authorized by Section 20(f) of Higner Education Student Assistance Act (11) 2105 947-40 and 20(f)].

SEGNEGE DESCRIPTION THE RESPONSE SELECTION AND ADMINISTRATION OF THE RESPONSE SELECTION ASSOCIATION OF THE RESPONSE SELECTION ASSOCIATION OF THE RESPONSE SELECTION OF THE RES Of days energing mendings at 5 III. Sep. 3319, effective Danary 1, 193, 501 as another a second and a second a at 20 Ill.

Section 2733.30 Program Procedures

- a) An Applicant must apply to ISAC for designation as a Qualified ISAC small ussue a notice of eligibility to an Applicant who Any person and served in the armed Sprces of the United Veteran, 1980 stail issue a notice or environment is a Qualified Tereran as befined by this subsection. Definition of "Qualified Veteran"
 - was an Illinois resident within 5 months at the time of entering service was an Illinois resident or States voc:
 - who acter leaving service returned to Illinois within pur decides uons Eurasaus de potad
- iii) if markied to a person in continued military service stationed outside illinois, returned to illinois Wichin 5 months after nis or ner spouse's discharge;
- if married to a person in continued military service,

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NOTICE OF ADOPTED AMENDMENTS

applies for this grant program within 6 months of his

- was a student at a State-controlled college or university or community college and ano, after leaving service, returned Any veteran who, at the time of entering the Armed Forces, or her spouse being stationed within Illinois. to Illinois within 6 months. 9
 - served at least one year of active duty and who would be a honorably Any member of the Armed Forces of the United States who has Qualified Veteran under this subsection discharged from such service.
- An individual is not a Qualified Neveran 12 the individual was discharged from the Armed Sproes of the United States under less than honorable conditions. An individual is not a Qualified Vereran if the individual's active duty with the Armed Forces was for less than one year unless: á
- the Veteran was honorably discharged from such service medical reasons directly connected with such services or
- the Veteran was honorably discharged prior to August 11, 1967; or
 - was nonorably discharged from such service., part of which included dury in the Sarsian Gulf war or in military operations to aid Schalia. Vereran iii) the
- Army, Air Force, Navy, Marines and Coast Guard. Members of one The term "Armed Forces" shall be defined as the United States
 - service to ISAC which demonstrates eligibility for designation as Student Army Training Corps and a state's National Guard are not The Applicant shall submit documentation of all eligible for assistance under this Part. a Oualified Neteran. 3

effective

- A) An Applicant should submit a copy of his or her Report of cotained from the National Personnel Seconds Center or the separation (Form DD 214) with the application, which can be
 - If the Applicant does not have a 1 py of the 3D 214, Ellinois Department of Veterans' Sffairs.
- foliowing unformation: date of entry; date of separation; Type of discharge, cotal active service: home or olace of entry into one service: and home or place of separation trom the service. Such documentation must have been issued by the United States Department of Defense (DD) or the Pererans Applicant snould submit documentation which provides. Administration.
- If the Applicant is a headest of the Armed Mondes at the 1998 of application, the Applicant shall submit a copy of the original and/or current Snlistment Contract . Form 204 194.3) and a letter from the commanding officer. If the veceran is in an initial enlistment, a copy of the original contract be provided. If the veteran is on an enlistment

STUDENCY ABOPTED AMENDMENTS

of record at the time of original enlistment, must state the extersion, a copy of the current contract must be provided with the application as well as copies of all extension contracts. The letter from the commanding officer must that the Applicant is a member of the Armed Sorges at the time of application, must include the veteran's come veteran's length of time in service and the expiration date of the current enlistment. indicate :

Applicant may verify illinois residency by providing one or nore of the documents listed below. The definition of Resident of when entering and/or separating from the Armed Forces, the Illinois" contained in 23 Ill. Adm. Jode 2700.20 is not applicable to the Illinois Veteran Grant Program occause restdency, for the purposes of this program, can be astablished If the Applicant's 3D 214 does not indicate Illinois in six nonths. 7

- Illinois drivers license issued during the relevant six
- illinois augn school or college transcripts demonstrating accendance during the relevant six month period: months period;
 - Utility oills rent receipts in the Applicant's name for the relevant six wonth perild;
- Illinois motor venicle registration issued during relevant six month period;
- Residential lease in the Applicant's name for the relevant
- Statement of senefits history from the Illinois Department of Public Ald for the relevant six month period; stx month period;
 - State of Lilinois identification card issued during the of Senefits from the Illinois Department Employment Security for the relevant six month period: Statement Ĥ
- Letter of employment verified by certification in accordance with Illinois law (see See 735 ILCS 5/1-109) and printed on relevant six nonth period; or company letternead.

If an Applicant is designated a Qualified Veteran pursuant to subsection a)(1)(C), such designation shall expire ipon

A-Graittathanna-Verenam-snath-snath-ne-ressued-a-nothos-os-arabbhtay-70 receive an illinous Vereran Scant, a Chalified Vereran an-Applicant nust the Institution SCALAS SUBMICE-A-COPY-Of-TAR-MOTICE-Of-eligability-to discoarge from the Armed Forces. <u>0</u>

of his or her eligibility within three months following the last someduled lay of classes for the Term for which a grant is requested. A DOCTOR OF SELECTION OF SERVICE OF GREAKERES - Who recented an Illinois Pererans Sonolarship (TVS) ID card from the Illinois Department of Teretans Affairs may be used by the Institution to Sessoish a Qualities of Veteral initial eligibility receiveran Ethinosom General Form of Veteral initial eligibility receiveran

ILLINOIS STUDENT ASSISTANCE COMMISSION

WOTICE OF ADOPTED AMENDMENTS

- Sendor a second solution of the second secon for submission of complete payment requests shall be September 15 for summer Terms: January 15 for first Term; and May 25 for second Institutions shall submit a payment request to ISAC. Enstantions 0
- appropriations be insufficient to pay and claims, institutions will be reimbursed in accordance with this subsection. í,
 - Summer Term tlains received by the deadline fate designated to If funds remain ifter summer Jerm claims are paid, first semester funding prorated 12 insufficient to pay all claims in full. H O subsection (c) will be gaid,
 - and first quarter claims leceived by one designated deadline date paid, or proreced if funding is insufficient to pay all claims in full. ě
- paid, then second semester second and third quarter claims IS Eunds cemain after forst semester and first quarter claims are if Eunds remaining are insufficient to pay all such be paid, the designated deadline date will received by pectacad
 - If funds remain after second semester/second and third quarter olaims are pasc, claims received by ISAC after the designated deadline fates will be paid or processed. claims in full. 7
- In the event funds are not exhausted, claims for the difference between in-district and out-of-statist suition will be paid for funds commanding are insufficient to pay all such claims in full. recontents and do not magnify for charge-toacks, or propared í

363. Amended (Source:

ILLINOIS PEGISTER

ILLINOIS STUDENT ASSISTANCE COMMISS: NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Limitation, Sispension and Termination Proceedings
- 2) Code Ciration: 23 Ill. Adm. Code 2790
- Adobed Action: Adobed Action: 7790.10 Amended Amended
- Statutour Wathbrighty Implementing and authorized by the Higher Education Student Assistant And C. [10 ILGS 47] and the Higher Education Act of 1965 as Asserted to U.S.C.A. 170 et seq.).
- 5) Effective Date of Rulemaking: July 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this tulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 19, 1996
- 9) Motice of Proposal Published in Illinois Register: Pebruary 2, 1996, 20 Ill. Reg. 1860
- 10) Has JCAR issued a Statement of Objections to these rules? No
- <u>Difference(s)</u> <u>between proposal and final wession</u>: A few, minor, technical charges were abea in response to comments from the public and suggestions made by CAR staff.
- 12) Have all the charges agreed upon by the agency and JCAR been made as indicated in the surferent letter sassed by JCAR? Tes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any emendments pending on this Part? N
- 15 Signature and Puzzone of Bileneting 1550 annually reviews its tiles in accert to sespone for here contains and advantage said annually reviews its tiles in the acceptance and describe statutory amendments, and to itstilly issues that have accepted to the statutory amendments, and to itstilly issues that have accepted to the statutory amendment of the statutory and acceptance o

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NOTICE OF ADOPTED AMENDATS Information and questions regarding these adobted amendments shall be

Ms. Raquel G. Martinez Compilance Counsal Illinois Student Assistance Commission 1755 Leke Cook Road Decried, Il 50015

The full text of the Adopted Amendment begins on the next page:

847) 948-8500

NOTICE OF ADOPTED AMENDMENTS

SUBTITLE A: SDUCATION CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESOURCES

PART 2730

LIMITATION, SUSPENSION AND TERMINATION PROCEEDINGS

Summary and Purpose

Informal Compliance Procedures and Pre-Hearing Conferences Emergency Action

Simitation or Termination Proceeding Suspension Proceedings

Verification of Mailing and Receipt Dates Recommended-and-Prns: Decisions

Reimbursements, Refunds, Offisers and Penaities Payment Period Termination Limitation 2790.150 2790.110 2790.120

Hearings

Assistance

Reinstatement Afrer Termination

2790.133

Implementing and authorized by the Higner Education Student Act (110 EUCS 347) and the Higner Education Act of 1965, as amended Matrix (Repealed) A XICNEGGE

at 7 III. Nep. 3926; amended a. 9 III. Rep. 3935; effective inneary 1, 1386; amended a. 9 III. Rep. 9711; effective inneary 29, 3397; remarkered from forbers at 2, 2111; and for 600 730 fates Scholarship Commission) to Capper KKV, 23 III. Adm. Code 2790 (Illinois Student Sasisance Commission) pursuant SOURCE: Adopted at 6 Ill. Reg. 11638, effective September 13, 1982; ccdified 10. 2A. 961.68, effective buly 1, 1989, et 1111.8eg, 1786; marided at 138 at 128 at 12 20 U.S.C.A. 1070 et seq.).

Section 2790.10 Susmary and Purpose

participating in any or all of the student assistance programs administered by the illinois Student Assistance Commission 13AC. This Part establishes rules for the Limitation, Suspension, or Termination of an otherwise eligible institution or Applicant These rules apply to an Applicant who and an Institution waten violates the provisions of the statutes, Rules, Regulations, appecial arrangements, agreements, or Limitations set forth in Lender Agreements or Program Participation Agreements and

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including but not infied to: the provisions dealing with one Quaranteed Student Loan Programs (20 USCA 1711 +696+9); Need Analysis (20 USCA 1297Ax (4599+9); General Provisions Relating to Student Assistance Programs (10 USCA 1199 #39949); Teaccer Scholarships and Pallowanips (20 USCA 1111 +#3994); and the regulations of the Secretary of Education relating to student assistance programs, under Act of 1965, as amended (20 USCA 1070 et seq. *£998#), Dougles Teacher Scholarship Program '34 OFR 639 459599); Paul Dougles Teacher Scholarship Program '34 OFR 639 459599); Paul Assistance Jeneral Provisions 34 CFR 838 -E3344)) Guaranted Sidera Loan and PUDS Singers 14 CFR 838 -E3344), and the State Stident Theority Cont. Program 14 CFR 832 +E3344). the Higher Education Act of 1955, as amended, including out

or Termination Proceedings. Additional Rules and Letinizins are contained in Serieral Provisions, 23 Ill. Adm. 7-de 2110, Defined This Part astablishes Sules onion program the Limitation, Suspension, terms are indicated by the first letter being bapitalized. G.

The gurpose of this Part is to protect the integrity of the programs and to guard against lisses on behalf of new Applicant, new Lender, the School, 19AC or the Paperal Bovernment.

not, nowever, surcemanicating inply compliance of lessen an Applicance of an institution's inflight or fallicy federal of State files and Action taken under ints Farr Will not stiech an Applicant's or an institution's responsioning to billial the requirements if ne Bigner serngeout pur seronical applicable to curstanding scholarships, grants and loan programs. Further, any Action taxen inder inis Part will not affect an Applicant's or an institution's cipnes, if any, to benefits or SAC's failure to innoke the provisions contained in this Part requiations governing sonotarsoups, prants and loan programs. payments that are based on prior participation in the programs. Education Act, Sederal regulations or ISAC

POSISECONÀSKY TOTATORA CASTILLA SERVENE SE SELLES IN SECTION 155(d) OF THE SECTION SEC a determination that an Institution Sails to meet the Sectinition of an Institution of hugner education, a proprietary Institution A CONTROL BOOKS CONTROL CONTRO This Part does not apply to: (a

Secretary of Education lue to its lefault experience see Section 135(2) of the Eligner Judgation Act of 1365, as amended 3994--98 大学の1-1の中国の15-1-1-15のの11-1をかり、1をおす、1のからないないないないないないない。これのななななのに、1のななななのではない。 120 USCA 1185(d) 1 +499-9-4:

any administrative Action taken by the 3.5. Department of Education against a Lender (13 CR 68.27.70 e38.71.6 e38.27.4 588.79.5 e38.71.6 e

STUBMUNAME GREGORY TO EDITOR

568-97-(1999), or an individual (34 CFR 85.300 - 85.420 (1998));

- A any administrative Action seem by the Illinois Department of Professional Seguintion, the Illinois State Board of Education or centilating Seguintion Confidential Seguintion Secretarily, suspending of Indiana Seguintial Institutions, among the Seguintial Seguint
- \$1 are abstractions techno team by a manufacturesconned concedition to a society of the state of the annual team of the state of t
- Litting in plocations institution's according status.
 In my luch cale, 780c said restance me participation of the finativities my satisfy notice of standard participation, sectified mail section seesupt sequencies to section 1780.80).
 - return depth registric 'es Seculis 1700.50; has "especial 1700.50; reconsider to the constitution of the c

(Source: Amended at 20 III. Reg. 9206 , effective 101 1936...)

"Action" - An administrative proceeding conducted under this Part.

Section 2790.20 Definitions

Mainteractive Error" - Conduct resulting in the loss of a ion manner or constitute of Annoted Hollings or recording to a cond Library and the conductive of the conduction of "Admonitants" - A verteen oppriated which ages the institution or Applicant that a regest of the mame iffers will be subject to a posity of Admonisters shall be a nater of poblic econd and my be injected in less of a new or a noce seems.

"Applicant" - Any individual who requests ISAC consideration for a scholarship, grant, tultion waiter, or quaranteed loan.

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NOTICE OF ADOPTED AMENDMENTS

"Borrower" - A student or parent to whom a subsidized or unsubsidized Stafford, PLUS, SLS or IOP loan is <u>or has been made</u>. "Punds" - Any money, commitments to provide money, and commitments of insurance or reinsurance provided under any or all programs.

"Hearing Officer" - An impartial person, appointed by the Executive Director of 13AC, or the Tecturive Director's designee, with an prior involvement with the faces giving tise to the Limitation, Suggestion of Termination Action, Wo. 8 strate:

A MARCHON VOCALOR AND ADDRESS OF SPECIAL BY IN INITIONAL SET OF SECURITY OF SE

Administrative law Judge for the Federal Government.
"Institution" - For purposes of this Part, any educational or lending

institution which participates in any 18AC program(s).
"ISAC Official" - Any official of 18AC to whom the Executive Director
and ablegated the responsibility of initiating and pursuing an action
under this Sart.

Tender" - Defined by Section [135(4) 445 of the Higher Education Act

18AC programs.

School* A finattition eligible to participate in the programs established by leading the programs established by leading to the program in the program of the program of the programs as defined in 14 of 2004 and 14 of 2004 and

"Suspension" - The removal of an Applicant's or an Institution's eligibility for any or all ISAC programs for a specified period of

WOTICE OF ADOPTED AMENDMENTS

time or until the problem that initiated the Limitation, Suspension or Termination proceeding(s) proceedings is resolved.

Institution's eligibility for any or all programs for an indefinite of an Applicant's or period of time, but in no event less than 18 months. "Termination" - The unqualified removal

effective 9508 Reg. 20 (Source: Amended at

Section 2790.70 Recommended-and-Pinal Decisions

- The Hearing Officer issues a sn-tarttain-er-ecommended decision based on findings of fact and conclusions of law. Findings of fact shall be based only on evidence considered at the nearing and matters of which official motice has been taxen. A recommended decision must be issued
- The Hearing Officer's recommensed decision will be promptly mailed to no later than 30 days after the conclusion of the hearing. â
- The Hearing Officer's Arrecommended decision may be appealed to the Commission by filling exceptions to the Hearthy-Officerto-recommended days after the receipt of the recommended decision. The opposing party snail nave 20 days from the receipt of the exceptions and supporting brief to file a response. If no timely exceptions are filed, the party will be deemed to cave warred any exceptions and the Hearing Officer's decision and a orief in support of those exceptions no later than recommended lecision shall be implemented.
- All exceptions, briefs, and reply response briefs shall be filled procedure, fact, law, or policy to which exceptions are taken and snall identify that part of the Hearing Officer's recommended Each exception shall set forth specifically the questions of decision to which objection is made. The supporting brief shall record relied upon and snall state the grounds for the exceptions designate, by precise citation of pages, the portions of with the Executive Director.
- The Executive Director anall submit to the Commission the Hearing recommended necession of the Rearing Officer does not take effect Commission Betermines that a stay would produce a serious and adverse effect upon Officer's recommended decusion, exceptions and bruefs. is pending the--appeal, unless the while an appeal ç

and a citation of authorities.

- In the case of an appeal, the Commission issues a final administrative decision affirming, modifying, or reversing the Rearing Officer's recommended decision, including a statement of or reasons for the the programs involved. (e
- effective الميان Reg. 111. 20 a, t (Source: Amended

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11996

Section 2790.140 Hearings

- If the Applicant or the Institution requests a hearing at least 5 days before the proposed affective date of a Suspension, Limitation or the Executive Director sets the date and place for the The date will be at least 15 days after the Executive Director receives the request. Permination, (8)
- Suring one hearing, provide for the orderly A Hearing Officer appointed by the Executive Director conducts the presentation of arguments and evidence, and shall take all steps The Hearing Officer spail requiate the course of one proceedings, the carties hearing on the record. conduct of â
 - The Hearing Officer shail take whatever reasures are apprigate to expedite the procesding which may include, but are not limited to: necessary to conduct a fact and impartial hearing. soneduling of pre-meating conferences; ô
- restricting the number or length of submissions:
- setting time limits for hearings and submission of written accepting stipulations as to facts and legal authorities;
- declaring any party one fails to comply with a valid order of the Hearing Officer to be in default, terminating the proceeding and issuing a decision against the non-complying party. documents: and
 - At the nearing, the appointed Rearing Officer snail consider any Nearing snall be conducted in accordance with <u>Article 19</u> Sections-197 ba-and-tB of the Administrative Procedure Act (5__550S_100/Art, 10] written material presented before the hearing, or any material other evidence presented during the course of the nearing. (e
- The Heating Officer has Innormane authority to saue suppense. If requested by the Reating Officer, 1580, the Applicant and for the Thistitucian small provide persons who have knowledge spour the matter. 小田本本一ののます。Data 1-11ののロイーにのロイーにのコイーにのコイーにのドルーキョウロールコロールのドールのドルールのドルールのロールのロールのロールのロールのロールのロールのロールのロールの £)
 - The ISAC Difficial has one ourden of proof by a preponderance evidence in any Suspension. Limitation of Termination nearing. under raview for trait or written examination. æ
- The Hearing Officer shall thly accept evidence that is relevant to the the Rearing Officer shall case findings of Eact only on evidence proceeding and not unduly repetitious. G
- if, after considering the syndence, the appointed Rearing Officer concludes that a Suspension, Limitation, Termination or penality is warranced, the Rearing Officer will issue a an-thittak Secision that considered at the nearing and on matters given judicial notice. suspend, limit, 'erminate or affect the Applicant institution's eligibility in whole or in part. 9
 - against an Applicant Institution, the appointed Hearing Officer may, at his if a Termination proceeding is brought Ç

NOTICE OF ADOPTED AMENDMENTS

penalties on an Applicant or an Institution rather than terminating issue a decision to impose one or more Limitations or its eligibility.

- Expedited Hearing: With the approval of the Hearing Officer and the mutual consent of the parties, any time schedule specified in this Section may be snortened.
- The Applicant of the Institution may be represented by legal counsel at a hearing, but ISAC is under no obligation to provide such counsel. É

effective 9206 Reg. JUL 1 1995 Amended (Source:

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NOTESTINOE SOURCESTS ASSESSMENT SIGNED NOTICE OF ADOPTED AMENDMENT(S)

Heading of the Part: Merit Recognition Scholarship (MRS) Program

- Code Citation: 23 Ill. Adm. Code 2761 2)
- Adopted Action: Amended Amended Section numbers: 2761.20 2761.30
- Statutory Authority: Implementing Section 30 and authorized by Section 30(h) of the Higher Education Student Assistance Act (110 ILCS 947,30 and 7
- Effective Date of Rule(s) Amendments: July 1, 1996 9
- Does this rulemaking contain an auromatic repeal jace? No (9
- ON. Does this amendment contain incorporations by reference? Date Filed in Agency's Principal Office: June 10, 1996
- NOCICE(s) of Proposal Published in Illinois Register: February 2, 1996, 20 Ill. Reg. 1863 6
- Has JCAR issued a Statement of Objections to these rule(s)? No 10)
- Difference(s) between proposed and final version: A few, minor, technical changes were made in response to comments from the public or suggestions Additionally, the amendment originally proposed to was revised to alleviate an unnecessary seep of Section 2761.30(c)(4) was revised to alleviate an unnecessary step from JCAR staff.
- Have all the changes agreed upon by the agency and JOAR been made as indicated in the agreement letter , saued by JOAR? Wes 12)
- Will these amendments replace an emergency sule currently in effect? 13)
 - Are there any amendments pending on this Part? 14)
- Summary and Purpose of Amendments: ISAC annually reviews its rules in respond to marker changes and client suggestions, to implement State and federal statutory amendments, and to clarify issues that have arisen during the previous year. In addition to making minor rachnical and grammatical changes inroughout this Parr, ISAC adopted the following The program procedures set forth in Section £rom enrollment, or drops to less man half-time status prior to disbursement of the scholarship, he inscluding now legulated to hotely ISAC to prevent parment processing or, if the dunds have been received by the withdraws 2761.30(c)(4) have seen modified. If a recipient substantive amendments: 0

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT(S)

to 1840. If a recipient withdraws from enrollment during the first term of the expolatemp, after receiving MSS funds, Section 2761,30(e) specifies that the relevant mast return the full amount of the schoolstanip directly to ISAC, as provided for in the section, 1100 12CS school, the institution must return the full amount of the funds received

Information and questions regarding these adopted rules amendments shall be directed to: 16)

Ms. Raquel G. Martinez Compliance Counsel

Illinois Student Assistance Commission 1755 Dake Cook Road

Deerfield, IL 60015

(847) 348-8500

The full text of the adopted rules amendments begin on the next page:

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LLINOIS STUDENT ASSISTANCE COMMISSION

MOTICE OF ADOPTED AMENDMENT(S)

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESOURCES SUBTITLE A: EDUCATION

MERIT RECOGNITION SCHOLARSHIP (MRS) PROGRAM

PART 2761

ij 30(h) Higner Education Student Assistance Act (110 ILCS 947/30 and 30(6)]. AUTHORITY: Implementing Section 30 and authorized by Section

Program Procedures (Repealed)

Summary and Purpose Program Procedures

Definitions

2761.10 2761.20 2761.30 2761.10 the

SOURCE Address as 111 (24 - 1777) effective buy 5 bits searche to 5 bits search to 5

Section 2761.20 Definitions

"Approved High School" - means any public high school located in this State; and any high school located in this State or elsewhere whether designated as a high school, secondary school, academy, preparatory Superincendent of iducation provides a course of instruction at the secondary level and maintains standards of instruction substantially the equivalent of those of public high schools located in this State. (Section 10 of the Higher Education Student Assistance Act (FEEE ** - Reve J.C judgment State-129927-3847-3857-39269 [119 ISGS 947/10]]. =pe n, school, or otherwise: which

Grade Fount Average" - means the average grade earned The calculation shall be consistent with the Institution's established policy or practice and shall be the same as oncee completed for admission, placement, throughout a student's educational program, other similar purposes. Cumulative.

"Eligible Applicant" - means a student from any approved high school located in this State whose 7th semester cumulative high school grade

WOTICE OF ADOPTED AMENDMENT(S)

point average is at or above the 95th percentile, or 90th percentile during the 186-87 or 1987-88 school year, of his or her high school class, and who by reason thereof is entitled to apply for to be swarded under this Section (Section 30(a) of the Higher Education St. Ment Assistance Act (1941--Revr--State--1994y--enan approved high with respect to students who graduated from such tady - pare - 3938(art (115 ILCS 347,30(a))) scholarships

"Graduating Class" - The total number of students to complete the high school's program of instruction and graduate within an Academic Zear. "Qualified Student" - means a person: of good moral character who is a resident of caus Scare and a citizen or permanent resident of the nas made a timely application for nexi: recognition scholarship under this Section, who high school located in this State, and who enrolls or is enrolled in a has successfully completed the program of instruction at any approved qualified illinois institution of higher learning or a Service Academy baccalarreare regree. (Section 30(a) of the Higner Education Student \$P\$12 077 《本事中日日日十七年春日-本年春日-本春年十一年春日-本年春日本日本春日-本春日-七香年日- なりで もりになりますなりなりな not received as an undergraduere student or cadet and bas United States, and, as an eligible applicant,

Guard Academy, the U.S. Military Academy or the U.S. Naval Academy, "Service Academy" - means the U.S. Air Force Academy, the U.S. hereinatter referred to as an "Institution".

completion of wnion, a student has completed eighty percent of the approved Elgn School's program of instruction. The seventh semester Seventh Semester" - means the period of instruction,

111. Reg. 92 15 will usually be the student's next to last Term.

3.0 JUL 1 100F (Source: Amended

Section 2761.30 Program Procedures

effective

- In Sebruary of every year, approved High Schools in Illinois shall Gentify to the Tilingus Student Assistance Commission (ISAC) the names of students who are Sligiole Applicants.
- 1) The certification of names shall be submitted on forms provided by ISAC. Certifications submitted by Approved High Schools shall DSAC shall seen promptly socialy chose Bligible Applicants and are reasonably assured of receiving Merit Recognition Scholarships in be subject to sudit by ISAC.
 - Eligable Applicance must have completed their Seventh Semester of Alth annual funding levels recommended Governor's Budges. ACCCEDENCE

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- Eligible Applicants shall be sent a Merit Recognition Scholarship A complete application must be received by ISAC within one year of High School Graduation but absolutely no later than June 15th of the Academic Zear immediately following graduation from the Approved Illinois High School. Should the recipient transfer to a different Institution after submission of the application, the enrollment transfer must be application which must be completed by the student and reported to ISAC in order to receive scholarship payments. postsecondary Institution attended by the Applicant. instruction at an Approved High School in Illinois. (q
- Terms financed by the scholarship. Scholarship funds may be used to ISAC shall dispurse scholarship funds in two increments cased finance expenses for a summer Term.
 - 1) The application form constitutes a sequest for payment of first Term cenefics. ISAC snall issue payment request costers for Institutions of request payment for subsequent lerms.
- Funds small be remitted to Institutions on behalf of the When requesting payment of scholarship Good Moral Character; accepted for enrollment on at least a Citizen or Eligible Noncitizen; a Sesident of Cilincis; of funds, the Institution shall certify that the recipient is: nalf-time casts; not the recipient of a baccalaureace degree. Qualified Students.
 - Upon receipt of scholarship funds, the Institution shall serify the recipient's enrollment starus. It the recipient is Enrolled, for expenses then due and payable. the institution may credit the disbursement funds recipient's account 3
- than half-time enrollment prior to disbursement, the Institution shall notify ISAC to prevent payment processing or, if funds have balance of one dispursement shall be released to one recipient. If one recipient has withdrawn from enrollment or drops to 7
- hear received by the institution, the institution shall return the fall mountain for infer the ser or SAC. Scholarsing linds are applicable to two semesters or three quarter Terms and must be used for educational expenses, including, but not required Service Academy uniforms, and pravel and personal expenses limited to, Tuttion and dees, room and board, cooks and supplies, related to the recipient's enrollment. (p
 - nne recipient strhdraw from enrollment during the first Term Extest-Werm Linanced by one scholarship, one recipient shall ceturn the funds dispursed to 18aC. (e
- graduated during one 1986-37 or 1987-88 soncol year whose grade point class and who were conservise eligible to apply for a scholarship inder Norwithstanding the previous provisions of this Section, students averages were at or above the 90th percentile this Part snall:
- have had their names certified as Bligible Applicants by Approved 1) be aligible for a scholarship in the anount of \$500; 2) have had their names merified as Pinchle Amelianous Algh Schools on forms submitted to ISAC;

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- submitted an application to the Institution at which they are currently enrolled by November 15 of the academic year in which funds have been appropriated for this purpose;
- Citizen or Eligible Noncitizen; a Resident of Lilinois; of Good Character; accepted for enrollment on at least a half-time institutions verify that the Qualified Student is: a U.S. basis: and is not the recipient of a baccalaureate degree; Moral
- have a scholarship awarded by ISAC in order of decreasing have the scholarships awarded under this subsection provided by a percentile as determined by their 7th semester cumulative high insufficient to provide all Qualified Students with an award. grade point average, if funds appropriated separate appropriation of the General Assembly; and 6

Reg. 9215 t) t) (Source: Amended

ILLINOIS STUDENT ASSISTANCE COMMISSION MOTICE OF ADOPTED AMENDMENT(S)

- Meading of the Part: Minority Teachers of Illinois (MII) Scholarship Program
- Code Citation: 23 Ill. Adm. Code 2763
- Adopted Action: American Section numbers:
- Statutory Authority: Implementing Section 50 and authorized by Section 20(f) of the Higner Education Student Assistance Act [110 ILCS 947/50 and 7
- July 1, 1996 Effective Date of Rule(s) Amendments:
- Does this rulemaking contain an automatic sepeal Bate? No
- Does this amendment contain incorporations by reference? No
- Notice(s) of Proposal Prolished in Cilingis Registati February 2/ 1996, 20 Ill. Reg. 1875 June 13, 1996 Date Filed in Agency's Principal Office:
- Has JCAR issued a Statement of Objections to these rule(s)? No
- technical Difference(s) between proposed and final version: One minor, change was made in response to a suggestion made by JCAR staff.
- Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
- Will these amendments replace an energency rule durrently in effect? Are there any amendments pending on this Part? No 13)
- antien futing one previous year. In addition to making minor recommical and grammatical Canages sinceptor this Pact. 1300 aloged the following businessinity assendences: Section 1763-10(9)(8) has been added to ensure that sections agree to provide 1300 with evidence of compliance with Summary and Purpose of Amendments: ISAC annually reviews its rules in order to respond to market oranges and olient suggestions, to implement State and federal statutory emendments, and to tlarify issues that have program rrequirements, such as filting our annual questionnaires. Section 2763.50(e)(4) now includes a cross- reference to the Special Education Teacher Tuition Waiver Program, which isamong the forms of ISAC assistance that a Scholar may not concurrently receive.

NOTICE OF ADOPTED AMENDMENT(S)

Information and questions regarding these adopted tules amendments snall be directed to:

Illinois Student Assistance Commission Ms. Raquel G. Martinez Dearfield, TL 60015 1755 Lake Cook Road Compliance Counsel

The full text of the adopted cules amendments begin on the next page.

(847) 948-2500

ILLINOIS REGISTER

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT(S)

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESUMERS SUBTITLE A: EDUCATION

MINORITY TEACHERS OF ILLINOIS (MTI) SCHOLARSHIP PROGRAM PART 2763

Minority Scholar Eligibility Summary and Purpose Definitions Section 2763.20 2763.40

Institutional Procedures Application Procedures

2763.53

AVTRORITY: Implementing Section 60 of the Higher Education Student Assistance Section 51 LGCS 947-503 and authorized by Section 50(\$) of the Higher Education Student Assistance Are [110 ILCS 947-20(\$)].

memorago vobied on Record 7. 5.93) memorago sanismo n. 1111. 369.

June 1. 1937 effective annary 1. 1931 for a narram of 530 days emergency exposed as the sanismost of 1111. 869.

June 1. 1933 memorago n. 1111. 869. LOSS, effective ally 1. 1931 memora as affective ally 1. 1935 memorago n. effective n. 1171. 1935 memorage as 1. 1935 memorage as 16 III. Reg. 7048, effective April 21, 1992; emergency amendments adopted at 15 III. Reg. 16326, effective September 29, 1992, for a maximum of 150 days: SOURCE: Emergency rules adopted at 15 Ill. Reg. 19621, effective October 11, 1991, for a maximum of 150 days; emergency expired on March 3, 1992; adopted as

Section 2763.40 Application Procedures

- Applications for the Minority Teachers of Illinois Scholarship Program are evaliable from qualitied. Insurtions of Higher Learning, State Persister and congressions, 2650es, and EASC'S Springited. Deerfield and Chicago offices. (m)
 - A completed application must be received in ISAC's Derfield office on ISAC will mail renewal applications to all qualified Students received MTI Scholarships furing the preceding Academic Tear.
- Lammediately preceding the Academic Year for which the scholarship is ceing requested in order to receive priority consideration for a full-year, full-amount award. If the student section of an application is incomplete, notification or perore the August p
 - will be sent to the Eliqible Applicant. The Eliqible Applicant will then have an opportunity to furnish the missing information; however, the application will only be considered for processing as of the date when the student section is complete and received by 18AC. If the school section of an application is incomplete, 18AC will notify the Institution directly. When one school submits the missing information

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1366 will consider the application filed on the date that it was originally secestyd.

Stipplikipy confidention shall be sent to each Qualified Student who is scheeded as a Minotity Scholar.

Stipplie applicants shall be required to furnish the postscondary Institution at mich they are enrolled with a copy of their high school canacity has an over a copy of their bill persons.

(e

During any Aademort Tear in wich a Whootly Scholar seelves
Massators inder this Perc, the Whootly Scholar shall be required to
Espi a Teaching Agreement Scholarsky Tobe proor to receip of sing
scholarsky Massatorsky Tobe are of the Teaching
Agreement Pointssoy Tobe and I include the Collouing

Certificates.

A piedge on the part of the coorpiest to take the year for each year for each year for each of the coorpiest to taken on year for each year for my portion of a year for which all was received, no first any portion of a year

2) a stpulation mat such matching requirement will be fulfilled within the livrear period following me termination of the undergraduate program for someth one knockty Scholar received assistance under this Patri.

3) a supplication mass accompanies of ville distilled as a momprofit Lilmos qualco, private, or parconal presmool, elementary school or secondary school as valon no less than 30 persons of the entitled students are Minoring Schools, as certified by the Lilmos State School of Schools on and

4) a deserter illustration case, if the reaction applicates is not fulfilled, the stoodstaths connects to allow and the Minority Scobar case, each of the foreign of scopared according to the foreign amount of the reacting believe completed plus interests at a ree equal to that defined by federal exquisitions and, if applicating the requisitions and, if applicating the collection

5) dest grote stipulation that the Winotto Scholar agrees to provide 13AC with evidence if compliance with orderan requirements 16.25x decorate to amonal following provide managements in the Winotty Scholar shall not not in Windston of the venting

A Minority Socials stall not be in minority Socials socials and in social soci

Learning; Serves, for not more than three years, as a member of the United Serves armed servings.

States around services:

3) is temporaruly distanted, for not more common three years, as established by the svorm affidavit of a qualitited onysionary.

) is seexing and unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection

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(9)(3) of this Section, and is able to provide evidence of that the control of th

A MINISTER SEGRETARIES TO THE SEGRETARIES TO A MINISTER SEGRETARIES AND A MINIS

 All regements objected from Minostry Scholassing recipients shall be Counted to the State Comprisite for Abpasi, into one State's General Revenue Pund.

(Source: Amended at 20 III. Reg. 92.21 , effect 301 - 1996

Section 2763.50 Institutional Procedures

a) The Institution shall submit the certification of eligibility for Qualified Submission that are request for payment. b ISMC shall disburse socialency funds in two or three installents, depending on the number of lerns funded by the scolestings evenept

that, milyide discrements inall not or equired in ones ware the applicant's eligibility is not seemined until not final Term for the Academic Feet for with the secondarianty is being seated in year a curdent is recently only for senses and the maximum seated does not exceed the student's Cost of Atrendance.

c) Punds shall be centred by ISAC to instructions on behalf of Minority Scholars, When requesting payment of senolarsing funds the Instituction shall certify to ISAC that the Applicant is a Undalated Student as defined in Scholars (or in this Bart.) Scholars Scholars of Scholars and IsaC and Scholars an

quarters of fillings and yearnam Anderdor San. "Don reapprof sonolately finds, red fastivitim stail verify the Scolate's fastivities may reads; the Ministry Scolate is Incolated, red fastivities may reads; the scolates plands to the responsibility account to require a minister of apparer, the stants of the Ministry Scolate as tracked from the Ministry Spolate. It is event the Tenant Scolate and the Anderdor Scolate of the Spolate and Scolate and

In accordance with rules subsection the institution at which the Mindrity Scholar is strained small compute the amount of the scholarsing. The Mindrity Scholar busk have reviewed and the Peaturing Agreement, from shorty Note grior to the receipt of any scholarsing assistance.

NOTICE OF ADOPTED AMENDMENT(S)

- Minority Teachers of Illinois Scholarships are applicable only toward Turion and fees and room and beard charges or commuter allowances. If applicable. The annual scholarship avarded to a Qualified Student must be the lesser of:
 - A) Tuition and fees plus room and board expenses charged by the Institution;

 B) Tuition and fees plus the standard commuter allowance for
- students living off-campus; or

 C) a maximum of 55,00.

 The creal amount of Minority Teachers of Illinois Scholarship
 assistance avarded to a Scholar in a given Academic Teat, when
- addition to order framcoal and available to red Minority Scools for the crash and available to red Minority Scools for the crash available to the Minority Scools for second for the crash available for
- Subblistings assistance under this State.

 A Minority Scrolar may recover grant assistance under the Nonezary Award Program (2011. Adm. Obde 2755) only up to the manous by which the Amority Scholar's Cost of Attendance exceeds the Amount of the cholarship.

(Source: Americal at 20 III. Reg. **9.2.2.1...**, effective

CLLINGIS STUDENT ASSISTANCE COMMISSION NOTICE OF ADOPTED AMENDMENT(S)

LLINOIS REGISTER

Heading of the Part: Monetary Award Program (MAP)

- Heading of the Part: Monetary Award Program (M Gode Citation: 23 Ill. Adm. Code 2735
- | 3) Section numbers: Addopted Actors | 2755.20 | Americal | 2755.20 | Americal | 2755.70 | Americal | 2755.100 | 2755.100 | Americal | 2755.100 | Americal | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2755.100 | 2
- 4) Statistic Authority: Implementing Section 35 and authorized by Section 20(t) of the Higher Education Student Assistance Act [120 InCs 947/35 and 20(t)
- 5) Effective Date of Rule(s) Amendments: July 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
-) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 10, 1996
- Notice(s) of Proposal Published in Illinois Register: February 2, 1996, 20
 Reg. 1881
- 10) Has JCAR issued a Statement of Objections to these rule(s)? No
- 11) Differences is between corposed and (Intl version. A few, minor, elemical charges were made in sesponse to comments from the public or suggestions from JOAN safet. Additionally, ris word "Mailtowaldonistom" was added to Section 2735.130(a) to more accurately reflect true legislative intent.
- 12) Have all the changes agreed ign by the agency and JCAR been made as indicated in the agreement letter lasted by JCAR? Yes
- 13) Will these amendments replace an emergency cule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Simmary and Purpose of Landschenia: 15AC minually reviews its rules in order to confer the confer that have seen that find not confer to confer the confer that confer the confer to confer the confer that confer the confer that have grammarical and grammarical and grammarical and grammarical and persons and persons and persons and confer the collection of confer the collection conference and conference an

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courses in clock hour programs are not eligible for payment through the NAP program. In Section 2735.80(d), the timeframe for refunds of NAP 60 days, in order to parallel a similar requirement contained in ISAC's General Provisions (23 ill. Adm. Code 2700.50(c)). Also, "review" has Section 2735.20(a)(4), regarding incarcerated students, has been deleted since this exclusion is already addressed in General Provisions, and is therefore redundant. Section 2735.70(c) has been modified to specify that payments received after the end of the term has been excended from 30 to

Information and questions regarding these adopted rules amendments shall be directed to:

been replaced with "reconciliation" since it is a more descriptive term.

Illinois Student Assistance Commission Ms. Baquel 3. Martinez Deerfield, IL 60015 1755 Lake Cook Road Compliance Counsel (847) 343-8500 The full text of the adopted rules amendments begin on the next page.

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LLINGIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT(S)

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESOURCES SUBTITLE A: EDUCATION

MONETARY AWARD PROGRAM (MAP)

Institutional Packaging of Gift Assistance Determination of Financial Sligibility Contractual Agreement Regulrements Disbursement of MAP Grants Application for MAP Grants Institutional Eligibility Enrollment Fequirements Applicant Sligibility Summary and Purpose 2735.20 2735,100 2735.50 2735.60 2735.70 2735.80 2735.10 2735.40

AUTHORITY: Implementing Section 35 and authorized by Section 20(f) of Higher Education Student Assistance Act (110 ILCS 947/35 and 20(f)).

Advance Payment Formula

APPENDIX A

40.0

SOURCE: Adopted at 9 III. Reg. 2085, effective January 1, 1386; amended at 11 III. Reg. 1134, Geffettive Amended at 11 III. Reg. 1134, Geffettive Ampus 10, 1897, amended at 12 III. Reg. 1136, effective Ampus 10, 1897, amended at 12 III. Reg. 1136, effective Amended at 12 III. Reg. 1135, effective Amended Amen 1993, for a maximum of 50 days energency expliced in September 18, 1993, amended at 17 111, 8eg. 19956, effective Day 1, 2931 mended at 17 111, 8eg. 1995, effective managed at 19 111, 8eg. 1956, effective managed at 19 111, 8eg. 1956, effective Day 1, 1995, amended at 20 111, 8eg. 1956, 6ff. Commission) to Chapter XIX, 13 111. Adm. Code 2735 [Illinois Student Assistance documents on pursuant to P.A. 6-268, affective May 1, 1399 at 13 111. Reg. L7851, steededs at 14 111. Reg. 1732, effective May 1, 1390 assetded at 15 Illi Req. 11256, effective July 1, 1392) emergency amendment at 16 III. Reg. 12337, effective November 13, 1292, for a maximum of 130 days amengency expected on April 23, 130 amengency assembler at 7 III. Reg. 6972, effective April 13, 1909, emergency assemblers at 7 III. Reg. 6972, effective April 13, 1909, emergency assemblers at 7 III. Reg. 6972, effective April 13, 1909, effective

Section 2735.20 Applicant Eligibility 1996

- Citizens or Eligible Noncitizens of the United States, and a) All MAP grant recipients nust: Residents of Illinois: è,
- be Entolied in an eligible degree or certificate program (34 CPR 668.8) on at least a half-time basis at a MAP-approved Postseocriday Institution (Section 7735.60). A-restptore Institution's policy of Satisfactory Academic Progress; and be students in good standing in accordance with

their

NOTICE OF ADOPTED AMENDMENTICS)

throughout-the instritution-s-Turtion-refund-withdraws-adjustment Dertod-tisee-Section-2735-79tat-trand A recipient may receive MAP grant payment for less than half-time enciliment provided the recipient was Encolled on at least a haif-time basis throughout the Institution is Tutton refund/vithdrawall advantablet percod. See Section 135.7.19.15. 6

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- c)bt Ail recipients must demonstrate financial eligibility as determined from the financial para supplied to the Illinois Student Assistance Commission (ISAC). (See: Section 2735.40.)
 - MAP recipients must not have received a paccalaureare degree. d)et Eligibility is restricted to undergraduate students.
- purposes of this Part, an Institution shall classify as a is enrolled in an academic program or course above the Graduate Students are not silgible for MAP assistance. Graduate Student" any student wno:
- baccalaureare level union is leading to any degree above the is not eligible to receive federal financial assistance (34 Daccalaurease level; and
- Full-time postsecondary study, either prior to entrance into the academic program or as part of the academic program has completed the equivalent of at least three years of CPR 574.2, 575.2, 576.2) as an undergraduate students and itse.f.
 - eldt A recipient may receive the equivalent of 10 semesters/15 quarters of Full-time MAP grant payment. (See: 23 Ill. Adm. Code 2700.40(h).) If a recipient has accumulated less than 50 saxey eligibility units, 1) * Seniors in their last Term of enrollment prior to receiving a baccalaureare degree and Applicants Enrolled in student teaching are classified as Full-rime Students for purposes of MAP grant s/he may receive one additional Term of Full-time MAP assistance.
- 9227 Ill. Reg.

(Source: Amended at 20

- Applicants, spouses, and the Parents of Applicants are required to submit financial information on the application, which will be <ept confidential, regarding income, asset value, and non-taxable income e.g., Aid to Families with Dependent Children, public aid, veterans' Section 2735.40 Determination of Financial Eligibility benefits or Social Security). (p
- those Applicants undse applications are not in basic agreement with After receipt of corrected data, ISAC shall recalculate awards their financial records. q

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NOTSETHOUS SOMETSTANDED SOMETHINGS STONE NOTICE OF ADOPTED AMENDMENT(S)

- MAP grant eligibility is based on the relative financial eligibility an ISAC-approved Institution of the Applicant's choice, and is re-evaluated if the student's choice of Institution changes.
 - Institution. MAP grant funds are semitted directly to the educational MAP grant recipients request payment through their educational in the name of the recipient after the Institution MAP grants are applicable only toward Tuition and Mandatory Fees. certifies an Applicant is an eligible recipient. Enstitution ç
- 1) Maximum award specified at Etty-Revy--Statut99ty--chy--thipper grants may not exceed the:
 - 3035fet (110 1503 947/15fe)), orv Institution's Tuition and Nandatory Ree charges on file with
- The maximum MAP grant available to a recipient attending a public Pees. It is the recipient's responsibility to make arrangements to pay recipient is advised to contact one in-district community odilage community college is limited to the in-district Tuition and Mandarony and/or local nigh school regarding application procedures and deadline the additional costs incurred as an out-of-district student.
- Public community college award recipients shall be eligible for payment up to 19 hours (9.5 nours for half-time). 6

effective Reg. 9227 (Source: Amended at 1996

Section 2735.50 Institutional Packaging of Gift Assistance

- Assistance that applies toward Tuition and Mandatory Fees, such as Institution all additional MAP recipients must report to the Tuition warvers and scholarships.
- If a MAP recipient receives other assistance targeted specifically for Tuition and fees, the combined assistance shall not exceed the total If an Applicant is eligible for assistance index the Illinois National Tuition and fee expenses incurred. 0
- NG) Grant Program or the Illinois Tereran Grant (27G) Program (23 111. Adm. Code 2730 and 2733), the Applicant is not eligible for a aid packaging prior to awarding MAP gift assistance. The Institution full MAP grant because NG and 27G hust be factored into the financial may request payment of a partial 164P grant to finance fee expenses not covered by the above-referenced programs. Guard
- If an Applicant is eligible to receive Tuition or See benefits through Institution by the Applicant's employer, the Institution shall request a prepaid or reimbursable Tuition plan, or inrough a payment MAP payment in accordance with this subsection: ô
 - A prepaid Tuition plan is any program which exempts a stident Erom Tuition enarges because of a payment(s) to the Institution at a time orior to the student's enrollment. A reimburgable

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- Tuition plan is a program which reimburses a student for Tuition The Institution shall recalculate the Applicant's MAP eligibility by decreasing the Applicant's Tuition and fee charges by the sources in subsection (d)(l) of this Section. The Institution shall report the Applicant's reduced grant award on the payment amount of benefits the Applicant is eligible to receive from dosts after satisfactory completion of course work.
- request list. (See: Section 2735.80.) provisions of this section shall not apply to benefits derived the Baccalaureate Savings Act (Ekky-Revy---Staty---1992y---chy----Erom (e
- cost of attendance used to calculate Title IV and for the provisions of other ISAC-administered programs, the Institution is required to reduce the MAP award and/or Gift the total amount of a student's Gift Assistance may not exceed perv-2461-er-seqr+ (110 ILCS 920) and 23 Ill. Adm. Code 2771. Any excess Gift Assistance is considered an Assistance to prevent such an overaward. Notwethstanding that student.

effective Reg. (Source: Amended at 1996

Section 2735.70 Enrollment Requirements

coligated to admit Monetary Award recipients. Once the recipient is Enrolled and attending classes, the Institution shall receive payments for Tuition and other Mandatory Rees provided by the award. The institution is coligated to provide Monetary Award recipients the same facilities and instruction, on the same terms, as are provided to Illinois Institutions are approved Illinois Institutions.

It is the responsibility of MAP recipients to gain admission to

- The MAP grant shall not pay for academic programs intended to prepare student for the General Educational Development (GED) Test or for a other students. ç
- The MAP grant shall not pay for audit courses, credit-by-examination remedial courses), <u>clock nour programs</u> or correspondence courses. Sign course work cannot be used to meet the Malf-time or Full-time degree, certificate propram and is taking the remedial courses as a and or life experience, non-credit course offerings (except qualifying requirement. Remedial courses shall be eligible for MAP payment provided the student has been accepted into an eligible equivalent of one year of remedial course work (i.e., 30 semester part of that program. Payment shall not be made for nore than high school hiploma. (See: e.g., 23 Ill. Adm. Code 215.) hours or 45 quarter nours).
 - For any Institution which has Concurrent Registration opportunities, the following policy pertains: G)
- The recipient must indicate his/her Institution of Record on the

LLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT(S)

- Institution of Record to receive MAP payment on behalf of any other Institution and the Institution of Record shall distribute Institution(s). The amount baid dannot exceed the maximum herm award for Payment by ISAC will not be made to more than one Institution. the Term award by ISAC will require the appropriate stare of the award to the other o E
 - Full-time or Half-time Students at the Institution of Record, or the Tuition and Mandatory See costs at the Institution of Record if the costs are less than the maximum Term award.
 - The receptent's academic record(s) at the Institution of Record Concurrent Registration is limited to MAP-approved Institutions. must document the total number of credit hours for
- If a recipient's academic program involves our-of-state and/or foreign study, enrollment must be in accordance with the following provisions: The nagonoment loss on Applicated at the Manigoroused townstated. student is Enrolled. (e)

and the cut-of-state foreign study must be applicable to

- student's degree or certificate program at the student's the official academic transcript as institutionally earned credit The MAP-approved Institution must record the course credits and not as coansies oredit. Institution of Record.
- The receptent hust be Enrolled full-time and must be charged Mandarory Sees Tuition and Tuition and fees at least equal to charged all students.
 - An institution someth not request more than two semesters three decreases. quarters of MAP assistance for any one recipient. If an announced recipient's credit nour enrollment
- Institution shall only request payment up to the amount of actual If an Applicant withdraws from enrollment after the expiration of expenses incurred. 6
 - MAP grant payment for costs incurred up to the Term award Eligibility units are accumulated by a recipient unenever MAP funds provided the Institution's Tustion refund bolicy indicates refund 'withdrawal adjustment period, the Applicant Applicant has incurred manges in the amount of the claim. Tuition receive G
- effective are dispursed on benalf of the recipient. (See: 23 111.

1 1936 (Source: Aggreed

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Red.

Section 2735.80 Disbursement of MAP Grants

remits MAP grant funds to the Institution of Record on behalf of the recipient. The Institution of Record anall credit these funds to the Upon receipt of a payment request from the Institution of Record, recipient's account.

NOTICE OF ADOPTED AMENDMENT(S)

- b) MAP gather are divided into two senesses or three quarter regular Term payments and are paid literally to the approved institution of Record onto necestities to 550 that the Applicant is an aligned be despised.
 1) 550 will ammaily establish priority claim dates for the return
- of payment request lists and inform schools of the required priority dates.
- 2) Late destanting payment aggress, acquest-these stall coult in delayed processing it gayments. Payments aggress are processed in the appreciation of payments, Payment squares are any labelled in the appreciation of company (SAC and a Sinus star any sallable of the appreciation of the
- Under on itsupassores are frestructors to return their payment
 sequest its int. after ne second week of classes for the Perm
 for with now; are requesting payment.
 - C) WAP grant payment is subject to the limits of dollars appropriated to TSAC by the Exercit Assembly.
 d) Instructual Processing of Payments
- Instructional Processing of Payments

 1) Within 10 threety lays of receiving payment of any NAP finds
 Claims 10 threety lays of receiving payment of any finite tion
 shall precipe the PAP finds galish the recipeants Tuttlen and
- Mandana yes consequent of the appointer Descriptions are frequent of personners are proposed by the personners of the personners of the personners of the personners of the personners are personners and the personners are personners and the personners are personners and the personners are personners are personners and the payments are personners and the personners and the personners and the personners are personners are personners are personners and the personners are personners are personners and the personners are personners are personners are personners are personners are personners and the personners are personners are personners and the personners are personners are personners are personners and personners are personners are personners and personners are personners are personners
- Eggonciliation retrew process and return any refunds due.

 3) Award paramers ande in the name of one socipient cannot be applied to a monther recipient at the same institution. A refund of the paramers and must nee same institution.

have 50 99 days following receipt of payment to complete the

- 10 provide statement must be processed for the proper recipient.
 10 provide statement of processing and outcoming through the base Composition's Office in Springisteld, all payment requests mist be seen of 30 Miles and springisteld.
- On the State of Local Lags and control and the dependent of the principal Anderson Satural Control and the state of the principal Anderson Satural Control and English Saturations on the principal Saturation Sa
- 6) If the Institution does not sucmit refunds as required by this Section, ISAC 4:11 deduct outstanding refunds from subsequent institutional agment requests.

MAP-approved Institutions may request consideration

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NOTICE OF ADOPTED AMENDMENT(S)

advance parment style. To be a partial style the section must have section MAP parments for each of the institution fraction. These and institution is have completed in suit for the institution's performance during the afforcementioned Academic Pears. Institutions with provisional single-lightning style and the section advances of the section and the section and the section and section and the section and secti

- 2) Subject 19 the analysisting of fords, properties and subject to the control of the control of
- advance gayment is literatored in Appendix a Crista Dartz.

 Ose purposes it computing an interaction advance gayment. Show the following name commission control of the gayment state of the gayment from the Collowing name (A) outlar value of the gayment from the Collowing name (divised by the dollar value of the gayment from the Collowing name).
- Number of plained awards for the previous fiscal year divided by the inducer of awards announced during the previous fiscal year, or awards announced during C) Using the fiscal year.

announced awards:

- references of the first transference of the
- 4) Requests for advance payment shall be submitted by June 1, with the annual Unition and fee conseques see 2111.484.336 2700-270(e)). The shance of payment due four the unrent Tenn will be paid to the institution after ISAC receives a payment
- If an advance payment received by an institution exceeds the total prant payments for which that institution's students are eligible, the institution shall somit the appropriate reduind to ISAC prior to the end of the Andean Ceat.

(Source: Amended at 10 111. Reg. 92.27 = 1, effective UU 11996...)

Section 2735.100 Contractual Agreement Requirements

- A) The primary purpose of a MAP-approved contractual course of study must be educational and must lead to, and the result counties of the at degree of health education periodicate in a published course of study offered to
 - an ISAC-paperved Institutions and a programs updated by All contractual agreement becomes 1500-approved further and non-approved fractrutions mass be programs upproved by the Illinois pasted of fight and content for 1808; (See 1511. Adm. Code 1009.) All 1580-approved institutions not governed by the 1880

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NOTICE OF ADOPTED AMENDMENT(S)

program general and approved procedures shall shade in their contracting agreements to ISAC for approving prior to requesting NAP parment Son agreements to ISAC for approving prior to requesting NAP parment Son agreements of the same state of states, in the state of the same state of manufactured with this Section. The institution of Security General state of an ISAC-approved Institution may be affected that a contraction by apprecasing the same states and secure and security of security of security or security of security or security or

with a nonepoceed institution agency only if the approved ison institution does not have specific educational facilities and facilities and available with the listing no offer the Illinois Danci facilities blocking approved programs. The equived to subhit to 550 as \$ALL 550-4990 Ved listing that contrast switten to a permitting an earth published cupricilities of all current waiten to a permitting an earth of the published cupricilities of all current waiten to a permitting and earth of the published cupricilities of all current waiten to a permitting and earth of the published cupricilities of all current ways.

of ingress conternon springfact propries are required to submit to 1300 a published controlled institutions are required to sections to fagree in all propessions and all contesting controlled and agreements between 100 or more institutions agreement Only none sequence of the controlled are included in the published controlled with 1300 and are included in the published controlled with 1300 and are included in the published controlled with 1300 and 1

in all populars including concentral apprehensia by the control of the control of

procedures should certify to ISAC fractine following trems are included within the componential agreement and are the responsibilities of ne ISAC-approved communications to the program is with the lib administrative responsibility for the program is with the

Administrative responsibility for the program is with the ISAC-approved institution supervision including on-site visits by

the ISAC-approved institution; Admission policies consistent with the approved institution's policies.

policies; for the maintenance of records and transcripts by the

ISAC-approved institution.

S Statement on student littion fees, and other charges:

() Numeer of oredit hours required and otheria for course compared on vector in the program obsiderativities. The ISAC-approved Institution's policies and quakelines for all programs.

Institution's policies and quidelines for all programs;

Tabletic vindersal policy consistent with 15AC-approved

Mantenance of Liablity Instrance;

8) Wannemance of Lisolity insurance;
9) Responsibility for Saculty employment and evaluation;
10) Availability of Sudem suvilary services;
11) Consistency vita policies, rules, and regulations of other state

approval agencies:

Betablishmen: and utilization of a representative advisory

conmittee: Corvision for follow-up studies consistent with the ISAC-approved Institution practices;

Annual program and contract review by the ISAC-approved

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itution; and

15) Getification that the non-approved Institution, agency meets statutory requirements and is approved by appropriate Share of Illinois apencies and boards.

SAC requires all ISAC-approved Institutions to indicate the

9) ISAC requires all ISAC-approved Institutions to indicate the percentage of their ann exidents who participate in the contract proopsals) if saudy and the percentage of all students Brothled in the non-approved Institution, again, who will inceive "Button assistance income an approved contractual agreement. When a stimer of the Institution against the second of the percentage second of the percentage second of the percentage approximate the percentage and percentag

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Paul Douglas Teacher Scholarship Program
- Code Citation: 23 Ill. Adm. Code 2752
- Adopted Action: Amended Section Numbers:
- <u>Statiling Authority</u> implementing and authorized by Section 521 et seq. of the Engler Education Act of 1965, as amended (20 NS.C.A. IIII et seq.), and Section 2103 and (5) of the Mignes Education Student Assistance Act (110 IECS 947/20(5) and (5)].

9

- Effective Date of Rulemaxing: July 1, 1996
- Oces this rulemaking contain an automatic rapeal date? No (9
- Does this rulemaking contain incorporations by reference?
- Date Siled in Agency's Principal Office: June 13, 1996 6
- Notice of Proposal Sublished in Illinois Register: February 2, 1996, Ill. Reg. 1892
- Has JCAR issued a Statement of Objections to these rules? No
- Difference(s) between proposal and final rersion: A few, minor, technical corrections were made an response to suggestions from JCAR staff.
- agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Have all the changes
- Will this rulemaking replace an emergency rule currently in effect? 13)
- are there any amendments pending on this Part? No

7

Summary and Purpose of Aulemaking: SAC annually reviews its rules in respond to marker changes and dirent suggestions, to implement State and federal statutory amendments, and to clarify issues that have Substantive amendments: Sect.on 2752.40(e)(2)(3) has been added to ensure that Scholars will provide 18AC with evidence of tompliance with program Section 2762.40(f)(1) has been modified to reflect a change in procedures which no longer require the Scholar to sign the payment request form. Section 2762.40(f)(4) now includes a pross-reference to the Special Education Teacher Tuition Walver Program, which is among the forms of ISAC In addition to making minor technical assistance that a Scholar may not concurrently receive. And finally, arisan during the previous year. In addition to making minor and grammatical changes throughout this Part, ISAC adopted the to annual questionaires. requirements, such as replying

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NOTICE OF ADOPTED AMENDMENTS

since the Paul Bouglas program is a federal program, a provision has been added to Section 2762.40(k) explaining that out-of-state institutions eligible to participate in federal Title IV student assistance programs need not execute an ISAC program participation agreement solely to receive funds on behalf of Paul Douglas scholars.

Information and questions, regarding this adopted amendment snail be directed to:

Ms. Raduel G. Martinez Compilance Counsel

Illinois Student Assistance Commission 1755 Lake Cook Road Deerfied, IL 60015

847) 948-8500

The full text of the Adopted Amendment begins on the next page:

NOTICE OF ADOPTED AMENDMENTS

CHAPTER KEX: ELLENOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESOURCES SUBTITLE A: EDUCATION

PAUL BOUGLAS TEACHER SCHOLARSHIP PROGRAM PART 2762

Summary and Purpose

Scholar Sligability Definitions

Signoration Act of 1965, as amenced (2) U.S.G.A. Illl et seq.), and Section 20(b) and (f) of the Hipper Education Student Assistance Act (11) ILCS 947/20(b) and AUTHORITY: Implementing and authorized by Section 521 et seq. of the Higher

SOUNCE: Emergency Tale adopted at 10 III. Rr. 1260), effective July 18, 1996, for a maximum of 15 days: adopted 1 III. Pr. 135, effective Emmany 29, 181939, effective July 1, 1988; amended at 13 III. Reg. 2650, effective July 1, 1989; transferred from Chapter IX, 23 Ill. Adm. Code 1762 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2762

Section 2762.40 Program Procedures

- High-Stare in Illinois; offices of Congressional Representatives from the Stare of Illinois; offices of ISAC in Springfield, Chicago, SAC applications for the Paul Douglas Teacher Scholarship Program are available for distribution to students from: approved high schools and Destileld: and postsecondary institutions throughout illinois.
 - A complered application must be received in 18AC's beerfield office on : preceding the Academic Tear for which the is peing requested in order to receive priority 1) All Applicants who had not previously been designated as Scholars or before August consideration. scholarship
- snould also apply for federal student financial and to determine for the purpose of determining their rank within their relevant group. 'See: 20 U.S.C.A. 1070a.) First-time Applicants must also provide their postsecondary
- Institution a copy of their high school transcripts, any other documentation which werifies rank in class upon high school

ILLINOIS STUDENT ASSISTANCE COMMISSION

Institution snall certify to ISAC whether the Applicant graduation, or documentation showing their GED test scores. Qualified Applicant as defined at Section 2762.30(b).

- be supmitted to ISAC on or before August 1 preceding the Academic Year is selected as a Scholar. A listing of Scholars shall be made Renewal applications are mailed annually to eligible Scholars and must for watch the sonciarship is being requested in order to receive congratulatory letter snall be sent to each Qualified Applicant available to Institutions, members of Congress, and to the media. 9
- Prior to receiving scholarship assistance for any Academic Year, the Scholar must sign a Teaching Agreement Promissory Note that is The Teaching Agreement/Promissory Note shall require the Scholar submitted to ISAC. ā
 - fulfill the teaching requirements within ten years after completing the postsecondary education degree program which the scholarship was awarded, or to eitner:
- 653.42(c)(1);) The teaching requirement is prozated based repay all or part of the scholarship, plus interest, as (See: 54 upon unether the student received the scholarship semester or quarter rather than a full Academic Tear. Pederal Regulations. provided
- The Teaconing Agreement Promissory Note shall include: A) a stipulation that the Scholar teach on a full-time basis private nonprofit for a period of not less than two years, for each year received, in a public or assistance
 - a stipulation that the Scholar teach, on a full-time basis, children with disabilities or children with limited English preschool, elementary, or secondary school, or (8
- a stipulation noat teaching time shall oe reduced no one-naif if performed in a geographic area or an academic discipline certified as a "teacher shortage area" proficiency in a private non-profit school, and U.S. Secretary of Education, and-
- a Eurther stipulation that the Scholar agrees to provide ISAC with swidence of compilance with program requirements (e.g., responses to annual follow-up questionnaires, erc.).
- In accordance with this subsection, the Scholar's postsecondary Institution shall compute one amount of the scholarship and shall 上野社の日本のものではもの一からも数とのの一をだか Scholarship Amount
- Except as otherwise provided in this subsection, scholarshios shall be in the amount of \$5,000 if the student is enrolled for the full Academic Zear. The maximum scholarship for one semester
 - is \$2,500; the maximum scholarship for one quarter is \$1,656.67. If a Paul Douglas Teacher Scholarship, when added to the amount

IV of the Higher Education Act of 1965, as amended (29 U.S.C.A. et seg.), would exceed the Scholar's cost of attendance, as 109711), as amended, the Institution shall take the scudent's eligibility for other federal financial aid programs. A Paul Ocuquas Teacher Scholarship shall not be reduced because the Scholar is to receive for the same Academic Year under Title receipt of the scholarship into account in determining defined at Section 472 of the Higher Education Act of 1965

In any Academic Tear in union the Scholar accepts financial assistance intougn the <u>Steptal Boundation Teacher Tuition Manuer</u> <u>Foogram (asset 18) 111, Adm. (Cost. 161). Debut Februares Debut Steptam sees 13 11, Adm. Code (251), Os the</u> Minority Teachers of Illinois Scholarship Program (see: 23 Ill. of one receipt of other federal student assistance. Adm.

A Scholar hay receive grant assistance under the Monetary Award Program (23 Ill. Adm. Code 2735) only up to the amount by which the Scholar's cost of attendance exceeds the amount of the scholarship assistance under this Part.

32de 2763), the Scaciar shall not be eligible for

continues to be Enrolled. The Institution may then credit scholarsmip If the Scholar wirndraws from enrollment, the Institution shall return Scholarship funds are applicable towards two semesters/three quarters of Publicate study wathin an Academic Year, Upon receipt of serolarship funds, the Institution shall verify that the Scholar funds so the secipient's account for expenses them due and payable. The balance of the scholarship funds shall be released to the Scholar. the amount of the scholarship to ISAC for the semester(s) or scholazanio. 6

A Scholar will be entitled to defer payments due, as outlined in subsection (e)(1)(B) of this Section, during any period in which the recipient weets the conditions outlined in Section 528 of the Righer Education Act, as amended, or applicable federal regulations (see: 34 quarter(s) not attended. GER 653.62(g)).

A Scholar shall be excused from repayment, for any scholarship under this Part, if the recipient becomes a qualified pnysician or if his or her representative provides isac Scholars and Applicants may appeal administrative decisions made pursuant to this Part in accordance with ISAC appeal procedures permanently totally disabled as established by the sworn affidavit of with a death servicioate or other evidence that the Scholar has died. assistance received

lencinates institutions has aligible to participate in Title IV Sederal student financial aid programs meed not execute a Program Participation Agreement with ISAC to receive funds on behalf of (see: 23 211. Adm. Code 2790.79). Jougias Scholars.

9238 Reg. 20 40 (Source: Amended

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JUL 1 1996

effective

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NOTES STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- Heading of the Part: Robert C. Syrd Honors Scholarship Program
- Code Citation: 23 Ill. Adm. Code 2755
- Section Numbers: 2755.30
- Student Assistance Act [110 ELGS 947-65.60] and Title IV, Part A, Suppart 6 of the Rigner Education Act of 1965, as amended (20 U.S.C. 1970d-31 et seeq.) and authorized by Section 20(f) of the Aigner Education Student Assistance Act [110 ILCS $947^{\circ}20(f)$]. Implementing Section 65.60 of the Higher Amended Amended 2755.40
- Effective Date of Rulemaking: July 1, 1996
- Does this rulemaking contain an automatic repeal date? No
- Does this rulemaking contain incorporations by reference?
- Date Filed in Agency's Principal Office: June . 3, 1996
- 1996, 20 Notice of Proposal Published in Illinois Register: February 2, 111. Reg. 1338
- Has JCAR issued a Statement of Objections to these rules? No
- A minor, technical Difference(s) between proposal and final version: change was made in response to public comment.
- and JCAR been made Mave all the changes agreed upon by the agency and indicated in the agreement letter issued by JCAR? Yes
 - Will this rulemaking replace an emergency tule currently in effect?
- Are onere any amendments pending on this Part? 14)

15)

odds to respond to market inanges and client suggestions, to implement Save and federal switchorg Amembers, and to identify saves that have sailed duting the previous year. In addition to making minor echinical and grammatical enanges inroughout this Part, ISAC adopted the following The program procedures contained in Section Section 2755.40(e)(1)(A) nor requires that high schools use the same scale in reporting the grade point averages of all applicants to ensure equity within a high school's application of Rulemaking: ISAC annually reviews its rules in substantive amendments: Section 2755.30(b) has been edited to exclude 2755.40(e) nave been clarified. redundant requirements. Summary and Purpose

ILLINOIS REGISTER

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WOTICE OF ADOPTED AMENDMENTS

oppulation. Section 2755.40(e)(1)(E) has been added to specify that high schools which do not submit class ranks for applicants shall nave their students' scores computed using a class rank of one in a class size of recipients may use the scholarship at jur-of-state institutions aligible has been added to provide that our-of-state institutions need not execuse to participate in Title IV student assistance programs, Section 2755.50(s) ISAC program participation agreement solely to receive funds on benaif competition. Finally, since the Byrd Program is a federal program be included one, in order to allow for these applicants to of Byrd scholars.

Information and questions recarding these adopted amendments shall be directed to: 16)

Illinois Student Assistance Commission Ms. Raquel G. Martinez Deerfield, IL 60015 1755 Lake Ccok Road Compliance Counsel 847, 948-8500 The full text of the Adopted Amendment begins on the next page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION FITLE 23: EDUCATION AND CULTURAL RESOURCES SUBTILLE A: EDUCATION

ROBERT C. SYRD HONORS SCHOLLRSHIP PROGRAM PART 2755

Institutional Procedures Summary and Purpose Senclar Eligibility Cerimitans 2735.40

A XIONIGA A

Assistance Act (11) 1108 \$47.6160] and Title 17/ Part A. Support 6 of the Assistance Act (12) 1108 \$47.6160] and Title 17/ Part A. Support 6 of the Assistance Assistance Assistance Act (12) and Assistance Act (12) Implementing Section 65.60 of the Higher Education Student AUTHORITY:

SOURCE: Adopted at 11. Reg. 9386, effective July 1, 1995, amended at 11. Reg. 9244, effective HH : 906. JUL 1996

Section 2755.30 Scholar Eligibility

preceding the Academic Year for which the scholarship is being be received in ISAC's Deerfield Office on or before January 15

A completed application for a Robert C. Byrd Honors Scholarship must

- En-addition-to-Etting-an-appitementon-on-a-timely-basis,-- "Qualified Applicant" must:
- become a High School Graduate in the same high school year in s he submits the scholarship application, and must be a United States Citizen or Eligible Moncitizen; and be a Resident of Illinois; and

demonstrate outstanding academic achievement as measured by test

- have received a Jeneral Educational Development (GED) test score recognised by the Janeral Educational Development Testing Service as the equivalent to ranking in the top five percent scores and nigh school records: or
- be Enrolled or accepted for enrollment on a full-time basis as an federal student financial assistance programs. (See, e.g., 34 undergraduate student in a postsecondary Institution that approved by the J.S. Department of Education to participate United States' Sign School Graduates; and
- Applicants will be notified whether they are Qualified Applicants. CFR 600.19, 500.20, 668.12.)

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

of study. If after the first year of study, the Bytel Scholar Ass unusual circumstances, site may request a mainer of the full-time entolliers equirement. A waiver form shall be completed by the of ineligibility in Byrd Scholars must be Enrolled on a full-time basis for the first year Scholar, and submitted to ISAC with accompanying documentation. Provided the student continues to be enrolled on at least a half-time basis, the orroumstances under which an exception to the full-time accordance with 23 Ill. Adm. Code 2790.70, Appeal Procedures. may appeal a finding enrollment requirement may be granted include: non-Qualified Applicant

- 1) the Byrd Scholar's employment bours will not permit additional Course ___ad:
- the Byrd Scholar has medical problems that will not permit full-time arrendance, as established by the sworn statement of a
 - additional course vork to complete one degree is not required; or iliness or the Byrd Scholar is in his her last semester of school the care of an immediate family member due to licensed povstolan;
- A Byrd Scholar may postbone or interrupt mis is ner full-time incapacitation will not permit an additional course load. enrollment at an institution for a maximum of 12 months.
- inder this Part, and who is total amount of the funds received for the period during which s. he shall repay to ISAC A student and receives a scholarship subsequently determined to be ineligible,

effective 9244 Reg. 111. 20 (Source: Amended at

was ineligible.

Section 2755.40 Program Procedures

- distribution to students from: approved high schools in Illinois: offices of district and Segional Sperintenders of Education of the State of Illinois; offices of ISAC in Springfield, Chicago and Applications for the Robert C. Byrd Scholarship are available for (10)
 - ISAC shail accept applications to be a Robert C. Byrd Honors Scholar If the student section of the application is incomplete, notification in accordance with Section 2755.20 of onls Part, Scholar Eligibility. Deerfield.
 - Applicant. The Applicant will them have an application will only oe considered for processing as of the date when the student section is complete and received in ISAC's Deerfield "COWETTE" the missing information: snall be sent to the opportunity to furnish office.
 - From among timely applications, ISAC snall identify Applicants.

ô

ISAC shall select new Byrd Scholars from among the nighest scoring Qualified Applicants on the basis of the following criteria: (a

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STRENDWENDED AMENDMENTS

- Academic Data. A Qualified Applicant's score shall be computed (number in class divided by rank) x .05) se follower
 - + ((grade point average divided by scale) x 100)
- Grade point average shall be computed as of the end of the nstitution snall use the same scale in reporting all of its sixth semester of high school study or its equivalent. + (Illinois Standard Test Score x 10) = score
- scores are converted to ACT scores and test scores used in this Part shall be converted to the Illinois Standard Part Score as described in Part 2760, State Scholar (B
- both ACT and SAT I scores are submitted, the higher Program, Section 2769.30 and Appendices A and B. score, after conversion to ACT, is used.
- For Applicants qualifying by virtue of their GED scores (see at 5 out of 100 (top 5%) and average GED percentile rank shall be used in lieu of grade point average divided by Section 3755.25(6)(4) of this Part), class rank shall be set
- Applicant scores shall be computed using number in class and For those high schools that do not submit class ranks,
- A of this Part. An Applicant's county of residence shall be Geographic District. New Robert C. Bynd Honors Scholarships will be allocated to Recgraphic Districts in accordance with Appendix determined by his or her permanent home address. cank as equal to one.
 - Scholarships will be awarded first to renewing Scholars. A Byrd continue, to be eligible for a scholarship if the postsecondary Institution at which the student is enrolled certifies maintaintny entollment as a $\overline{\text{Sull-time}}$ fush-time. Student, except as provided in Section 2755.33(d) of this Part; that the Byrd Scholar is: Scholar will
 - maintaining Satisfactory Academic Progress as determined by the Institutions
- not in default in any Sederal student loan nor owing repayment on the student's any state of federal student financial assistance grant: and not receiving federal financial and in excess of
- established for the State Scholar Program (see 23 Ill. Adm. Code ISAC performs one calculations regarding grade point averages, sest scores, class cank and size in accordance with the procedures Cost of Attendance, as decermined by the Institution. 2760.30 and Appendices A and Bl.
 - New Byrd Scholars are selected from each of the 15 Geographic awards set forth in Appendix A to this Part. The at-large Scholars shall be chosen from among the highest scoring non-selected Qualified Districts, and on an at-large basis, in accordance with the number of Applicants statewide, regardless of their geographic district.

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NOTICE OF ADOPTED AMENDMENTS

- number of scholarships awarded in a given fiscal year is contingent upon available funding (see Section 4190 of the Higher Education Act of 1965, as amended (20 U.S.C. 1070d-34), Allocation Among States), notwithstanding the number of new scholarships outlined in Appendix A to this Part.
 - All high schools with Rocert C. Byrd Scholars will be notified of the Dreceding the Mondelin was for which the scholarship was negressied. Byrd Scholars will be informed of their selection by the April ÷
- All Qualified Applicants not selected to be 3yrd Scholars will be sent Scnolars arrending their Institution by April 15.
 - If an individual loss not accept one offer of a new scholarship award, letters notifying them that they have not been chosen. (1)
- the next hignest scoring Qualified Applicant not yet selected from the "Sligibility same Geographic District will be chosen to receive a scholarship. New and renewal Byrd Scholars will complete an
- they will certify the students' eligibility to receive the Byrd annual certification statements ISAC shall send verification payment rosters to Institutions on includes Certification," required by SD. 6
- Scholarship funds are applicable towards two semesters three quarters of full-time study within an Academic Zear, and shall be sent to the Institution on becalf of the Scholar(s). Scholarships. G.

effective Reg.

Section 2755.50 Institutional Procedures

JUL 11996

(Source:

- Institutions shall ensure that ISAC receives verification, payment Upon receipt of scholarship funds, the Institution(s) shall verify rosters orior to the beginning of the fall Term. (a) (q
 - expenses then due and payable. The balance of the scholarship funds shall be released to the Scholar, of the Byrd Scholar withdraws from enrollment, the Institution shall return the amount of the scholarship that the Byrd Scholar(s) continues to be Enrolled. The Institution may then credit scholarship funds to the recipient's account to ISAC for the semester(s) or quarter(s) not attended.
- The total amount of the Byrd Scholarship awarded to a Byrd Scholar in any given Academic Sear, when added to the other Sederal or State financial aid available to the Byrd Scholar for that year, cannot
- 1) The amount of any federally quaranteed student loans should be exceed the student's Cost of Attendance.
- The Bynd Scholarship should be decreased prior to reducing the decreased prior to reducing the amount of the Byrd Scholarship. amount of a Federal Pell Grant.
- A Monetary Award Program (MAP) grant should be decreased prior to reducing the amount of a Byrd Scholarship.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

Except as provided in Section 2755;30(c) of this Part, a Byrd Scholar may receive 55500 for each Academic Zear, up to a maximum of four years of study.

G G

Out-of-wate institutions that are elucide to participate in Title IV
Perfects tribent disabled also programs made not execute a Program
Perfectory Agreement with ISAO to receive funds on beneal of Band
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Amended	111
(Source:	

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT(S)

- Heading of the Part: State Scholar Program
- Code Citation: 23 Ill. Adm. Code 2769

Adopted Action:	Amended	Americad	Repealed	e e
Section numbers:	2760.30	2760.40	2760.Appendix A	2760.Appendix 3

- Statutory Authority: Implementing Section 25 and authoritied by Section 20 (f) of the Higher Education Student Assistance Act [110 ILCS 947,25 and 20(f)].
- Effective Date of Rule(s) Amendments: July 1, 1996

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- Does this rulemaking contain an automatic repeal date? No
- Does this amendment contain incorporations by seference? No
- 8) Date Filed in Agency's Principal Office: June 13, 1995
- 9) Notice(s) of Proposal Published in Illinois Register: February 2, 1996, 20 Ill. Reg. 1905
- 10) Has JCAR issued, a Statement of Objections to these rule/s)? No
- 11) Difference(s) between proposed and final version: None
- 12) Have all the changes agreed upon by the agency and 3CAR been made as indicated in the agreement jetter issued by JCAR? Yes
- 13) Will these amendments replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- | 150 Simple | Annual | Annual

LLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTIS!

regarding the required activities of a high school in calculating and providing ISAC with class ranks. Section 2760.30(e) has been amended substantially to update the manner in which the Illinois Standard Test Score is computed. Last year, due to a re-centering of the SAT rests, no direct equivalent was provided between an ACT score and an SAT I score. During that one transitional year, it was necessary to first convert a new SAT I score to an original SAT score serore determining its ACT equivalent. Information allowing for the direct conversion of an SAT I score to its ACT equivalent has now been provided by the resting services, so a new, updated table has been included for that purpose in Section 22760.30(e)(2), and all references to the temporary conversion used last year maye been deleted. Also, the temporary intermediate conversion cables contained in Appendices A and B have been repealed since they are no longer necessary. And finally, Section 2760.49 has been added in response to client inquiries. That subsection now outlines the eligibility requirements for private nigh schools that wish to nominate students for consideration as State Scholars. Information and questions regarding these adopted rules amendments shall be directed to:

Ms. Saquel G. Marcinez Compilance Counsel

Illinois Student Assistance Commission 1755 Lake Cook Road

Deerfield, IL 60015 847) 948-8500 The full text of the adopted rules amendments begin on the next page:

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ILLINOIS STUDENT ASSISTANCE COMMISSION NOTICE OF ADOPTED AMENDMENT'S

SUBTILE A: SDUCATEON
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESOURCES

STATE SCHOLAR PROGRAM DART 2760

Summary and Purpose 2760.5

Testing and Class Ranking of Students to be Considered for Program Selection Criteria 2760.10 2760.30 2760.40

SAT Verbal Equivalence Table (Rebealed) SAT Mathematical Equivalence Table (Rebealed) APPENDIX A

Other Information

NUTHORITY: Implementing Section 25 and authorized by Section 22(f) of the Higher Education Student Assistance Act [110 ILCS 947, 25 and 22(£)].

A control to the Second Control to the Secon SOURCE: Adopted at 3 Ill. Reg. 4, p. 38, effective January 25, 1979; amended IX, 23 III. Adm. Code 1760 (State Scholarship Commission) to Chapter XIX, 23 III. Adm. Code 2760 (Illinois Student Assistance Commission) pursuant to P.A. 86-169, effective July 1, 1989, at 13 111. Reg. 17868; amended at 14 111. Reg. 1886, effective July 1, 1990 mended at 16 111. Reg. 1321, effective July 1, 1997, amended at 17 111. Reg. 10644, effective July 1, 1993; amended at 17 111. Reg. 10644, effective July 1, 1993; amended at 12 111. 1, 1394; amended at 19 19 2 351 8395, effective Reg. amended 1,JUL 1995; amende 10346, effective

Section 2760.30 Testing and Class Ranking of Students to be Considered for

To be considered for the State Scholar Program, a student must take either the American College Testing (ACT) Assessment or the College Board's SAT I: Reasoning Test, during the third or Courth atscher dich er saxeh senetser prior to graduation from en tiph school is 11.4 for a student strenden high storol for the residentional state senesters, the exam must be aken during the tith or sixth senessel. 电影中——1744——1844年4月18日大学—电影中—电影中—电影用中—48550—电子6550和一年6600元—电影和一个大师上电子455140和电影 PREPARENCE - SOURCE -

FLLINGIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT(S)

take either or both examinations during the All scores from such tests taken during the designated period designated period. A student may

must be submitted to 15AC.

- If a student submit; scores from any two examinations taken during the designated parted, ISAC will use the higher of the two
- If the student submits scores icom more than two examinations, taken during the designated period, ISAC will disregard the Scores. 7
 - lowest score and use the average of the remaining scores. When a student submits scores to ISAC, the student must report
- ISAC will accept supplementary score reports of tests taken during the designated period upon the student's authoritation to the test service. Such authorization by the student must be received by ISAC disther Academic Level at the time one test was taken. before August 1. <u>,</u>
 - Students who, for any season, are unable to take a test on a regular tested in accordance with the procedures of the testing service. Any such special attangements must take into account the test score submission make special arrangements to be testing date should
 - in order for its students to be considered for the State Scholar <u>Program, a nign</u> High scho<u>ol senecis-anakh must palculate and provide</u> to ISAC the sixth semester class canks of scudents who desire to be deadline in subsections (a) and (b) of onts Section. ç
- lowest Grade Point Average (GPA) equals the total number of Class tanks are to be calculated so that the class rank for considered for the State-Schelat Program. students being ranked.
- Example

GPA		œ	m	38.1	, .	97.9
us X						
Class	ret	2	2	-9	ur)	'n

- The equivalent Term rank shall be provided for students planning 2760.30(a)) 7-for-exempley-chass-tenna-for-consec-year-stadusces Test scores submitted in accordance with this Part shall be converted Jears . see than the traditional four in other graduate (e
 - 1) The ACT Assessment Composite Score shall be the Illinois Standard to an Illinois Standard Test Score as follows:
 - Test Score.

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recentered SAT I verbal and math scores shall be appreared. Appenditors-A-sind-B-to-this-Parts---3y---ans-equityatent-ortgingi-5a9 Verteat -- and -mach - scores - snakt - be added, and then converted to the Illinois Standard Test Score using the table below.

Illinois Standard Test Score Table

	ACT Composit	36	35	75	33	32	31	30	29	2.9	2.7	26	2.5	2.4	23	22	2.1	20	Øi ←	89.7	17	16	1.5	7	5.3	1.2	T T	9.7	rs.	
	- Math V-+-M	95-00-59	#55-04-86#	86+1-64-8445	89-ce-+49	996-199	899-e9-E9	111	684-64-668	PH-101-PB	622-62-622	978-128	3-94-86E	98-10-598	86-64-86	**-01-04	58-68-98	88-to-88	99-49-8£	96-03-68			9-64-86	48-ca-84	98-69-99	+69-10-10-	9-co-48	438-50-438	499	
	SAT I Verbal	580 to 1600	530 to 1570	500 to 1520	0617 0	400 50 1440	260 50 1330	320 50 1350	to 1310	240 to 2270	200 50 1230	170 to 1190	130 to 1160	390 to	050 to 138	310 to 134	970 to 100	0.3	0	0	0	0	0	0	0	576 to 610	0	00	0,0	
Illinois Standard	co.	36	35	34	33	32	3.1	30	29	2.8	2.7	. 26	2.5	24	23	22	21	20	1.9	1.8	17	16	1.5	14	1.3	1.2	11	10		•

- High School class ranks submitted in accordance with this Part shall determine the percentile of the class rank for each be converted to an illiancis Standard Namk Score as collows: First, G
 - student in accordance with the following formula: Percentile = (Size of Class MINUS (Rank in Class minus .5)) divided by Size of Class
- Then, use table below to convert a percentile class rank to the

NOTICE OF ADOPTED AMENDMENT(S)

Illinois Standard Rank Score.

Illinois Standard Rank Score	30	29	28	2.7	26	2.5	24	23	22	2.1	20	1.9	8.7	1.7	
Percentile	9.75 - 99.9	9.54 - 99.7	9.19 - 99.5	8.62 - 99.1	7.73 - 98.6	6.42 - 97.7	4.53 - 36.4	1.93 - 94.5	6 - 09	4.14 - 88.4	8.32 - 34.1	2.53 - 78.8	5.55 - 72.5	7.34 - 65.5	00 00

- Illinois Weighted Selection Score for each student, shall be computed by multiplying the Illinois Standard Test Score by two, and Academic Fear, the number of State Scholars is approximately adding that result to the Illinois Standard Rank Score, Û
 - equal to rem percent of the estimated total number of Illinois high school graduates. ISAC annually establishes a minimum Weignted Notwithstanding the previous provisions in this Section, any student Selection Score to greid this result.
- that student achieves a score at or above the 95th percentile on the American College Testing (ACT) standardized assessment examination, or the equivalent thereof on a comparable examination, regardless of that nominated by his or her school shall be designated a State Scholar student's class rank.

III. Req. 9251 = =, 20 (Source: Amended at 1998

Section 2760.40 Other Information

- Righ school Sencet officials or student candidates shall nave a period of 60 days following the announcement of the State Scholars to appeal a student's status. (See: 23 Ill. Adm. Code 2700.70, Procedures.)
 - A Certificate of Achievement and congratulatory letter are issued for eacn State Scholar.
- A listing of State Scholars snall be available upon request to colleges, members of the General Assembly, and to the media.
 - an appeal concerning an Applicant's eligibility is received, ISAC

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shall request the high school to verify the reported data. If the conduct an audit of the high school's at cost, to Illinois colleges and associations of Illinois colleges. Payment ordered. must be received by ISAC at the time the mailing labels are Mailing labels of State Scholars' names shall be available, records in accordance vith 23 Ill. Adm. Code 2700.60. ISAC shall (0

State Scholat, one student must assend an approved sich school. An approved sprivate night shorton is as in the state of state sugar schools between in Institute which, in the state state of state states of the state Requestors of labels shall provide written assurance to ISAC that the In order for a student to be considered eligible for designation as a labels will not be resold or released to others in any manner. 4

which, in the "idenset of the State Superintendent of Distantion, by Norther a router of internation at the secondary avel and Taintains standards of interactions successfully equivalent to mose it problem men schools located in illinois. The State Siperintendent's approval Education is demonstrated intrudu. Secontarion is seen about of \mathbb{R} Recognition. Second by the litthous state Board of \mathbb{R}

Sec. (Source: Amended at

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT (S)

Section 2760.APPENDIX A SAT Verbal Equivalence Table (Repealed)

Section 2760.APPENDIX B SAT Mathematical Equivalence Table (Repealed)

Recentered-Scale-to-Briginal-Scale

ILLINOIS STUDENT ASSISTANCE COMMISSION

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Recentered (Source: Repealed at 20 **Briginal** Recentered Original. 9251 = = (Source: Repealed at Recentered

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ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT(S)

- Heading of the Part: Student to Student (STS) Program of Matching Grants
- Code Citation: 23 Ill. Adm. Code 2770
- Adopted Action: 2770.20
 - Amended Amendad
- Statutory Authority: Implementing Section 65 and authorized by the Section $20(\ell)$ of the Higher Education Student Assistant Act [110 ILCS 947,65 and 29(f)].
- Effective Date of Sule(s) Amendments: July 1, 1996
- Does tols fulemaking contain an automatic repeal date? No.
- Does this amendment contain incorporations by reference? No.
- June 10, 1996 Date Filed in Agency's Principal Office:
- Notice(s) of Proposal Published in Illinois Register: February 2, 1996, 20
- Has JOAR issued a Statement of Objections to these rule(s)? No.
- reconsidat changes were made in response to comments from the public and connect, 15AC changed the proposed amendment to Section 2770.30(p). The remised amendment requires schools to expend matching funds by the end of the academic year following the year in which the funds are requested, rather than within the same academic year in which the funds are received. number of Difference(s) between proposed and final version:
- Mare all the chances agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- Will these amendments replace an emergency rule currently in effect?
- Are there any amendments pending on this Part? No.
- State and "Edderal statutory amendments, and to clarify issues that have assent during the previous year. In addition to making munor technical and grammatical changes throughout this Part, 18AC adopted the Following Summary and Purpose of Amendments: ISAC annually reviews its rules in order to respond to market changes and client suggestions, to implement

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NOTICE OF ADOPTED AMENDMENT(S)

university" has been modified in Section 2770.20 to reflect the dissolution of the Board governed by these boards are now individually named. Section 2770.30(p) has seen added to require that an institution its matching funds by the end of the academic year following the year in which the funds are requested. And, Section 2770.30(q) has been added to require that matching funds awarded under this Part be requested Public Act 89-0004. in the same year in which the student contribution is optained. r c substantive amendments: The definition of "college of Governors and the Board of Regents by institutions previously expend

Information and questions regarding these adopted rules amendments shall Ms. Radnel G. Martinez be directed to: 16)

Illinois Student Assistance Commission Deerfield, IL 60015 1755 Lake Cock Road Compliance Counsel

The full text of the adopted sules amendments begin on the next page.

847) 348-8500

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT(S)

SUBTITLE A: SDUCATION CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION TITLE 23: EDUCATION AND CULTURAL RESOURCES

STUDENT TO STUDENT (STS) PROGRAM OF MATCHING GRANTS PART 2770

Summary and Purpose

Program Procedures and Requirements Definitions 2770 30

AUTHORITY: Implementing Section 65 and authorized by Section 20(f) of the Higher Education Student Assistant Act [110 ILCS 947/65 and 20(f)).

Studen Assistance Tunissionni puresant o P.A. 86-56, effective highlings are 13 ill. 869, 15651 amended at 16 ill. 869, 11563 amended at 16 ill. 869, 11563 amended at 17 ill. 869, 11563 and 18 ill. 869, 10034, 10034 amended at 17 ill. 869, 10034, 10034 amended at 17 ill. 869, 10034, 10034 amended at 17 ill. 869, 10034 amended amended at 17 ill. 869, 10034 amended Adopted at 4 Ill. Reg. 5, p. 221, effective January 30, 1980; codified at 7 Ill. Reg. 9925; transferred from Chapter IX, 23 Ill. Adm. Code 170 State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2770 (Illinois SOURCE:

Section 2770.20 Definitions

University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northeastern Illinois University, Northern (Chicago), University of Illinois Springfield), University of Illinois (Chicago), Thirties (Chicago) and Mackers (Chicago), Thirties (Chicago) and Mackers (Chicago), Thirties (Chicago), State-supported Institutions institutions of higher learning, including Chicago State illinois University (Carbondale), 在自然电影电影上的中,我有有电影电影上的一个品牌的一个品牌的图——电影的一个多数的有效的数据的一个的人自然有的话题——我们电影和自己的一个服务 Harvessantes-or-the-toatds-of-trustess-of or public community colleges objects the public community of the public community of the public community of the public community of the public public community of the public comm inimos Cocc.
Southern Ellinos Oniversity (Sowacesville), University of Illin
Southern Ellinos Oniversity (Sowacesville), University of Illin 89-9997-e856ectz49-September-37-239833 (110 IICS 947/65(m))) the 30 fue University" - means "College

"Voluntary Contribution" - includes feas collected from students by refundable to students and has been approved by a majority of those voting in a campus-wide referendum of students. (Section 65(a) of the or university officials when such fee is optional Higher Education Student Assistance Act+)

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MOTICE OF ADCPTED AMENDMENTICS:

effective 9260 Reg. 20 (Source: Amended at

Section 2770.30 Program Procedures and Requirements

- assistance) program for undergraduate students at an Illinois College University. The funds for those programs must be derived from Voluntary Contributions raised by students from students of that An eligible program is an organized, need-based monetary awards (qift
 - College or University according to a plan developed and approved by assistance program, nowever, can aid only undergraduates. A portion Voluntary Contributions can be obtained from graduate students; the students and consistent with College or University policies. of the total contribution can be used to aid graduate students.
 - set aside for graduate students will not be maroned by the Commission. Students shall approve the plan for taising Voluntary Contributions by a majority of those voting in a campus-wide referendum.
- those Voluntary Contributions made by enrolled students of the College or Chiversity are eligible for matching. If any fund raising activity Melds contributions from other individuals or organizations, the The contributions, to be aligible for matching funds, must voluntary (as contrasted to a non-refundable fee or charge). must Voluntary Contributions by enrolled students
- Particular care must be employed in implementing contribution plans that generate contributions from non-students. The law leaves no latitude in this regard. Special cash receipt systems must be used to make certain that student contributions are clearly identifiable. ident:flaole. 6
 - No eligible contribution can exceed \$9.00 per academic year.
 - The S1,000 annual limit on a STS award shall be applicable to all
- Only students who demonstrate need by some nationally recognized needs terms including the summer term. (q
- STS funds can be used for undergraduates who are otherwise eligible completed their ten-f 10 # analysis system can be considered for STS matching grants. semesters or fifteen-f 15 9 quarters of aligibility. for an ISAC monetary award but have
- inform ISAC, annually in writing, by ine deadline specified by the Commission. The method of seeking student approval raising plan snail oe included in such letter. snall Ç

Each Institution thetatusten desiring to participate in this program

- A claim for matening funds can be submitted to ISAC by dates specified by the Commission. The initial claim shall include:
- how general student approval was obtained;
- the steps employed to insure that student contributions were how funds were collected:
- Voluntary claim includes the 1000 documentation

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MOTICE OF ADOPTED AMENDMENT(S)

A supplementary claim can be filled after a filing date for the purpose Contributions by enrolled students.

of adjusting a regular claim filed earlier.

- A pro-rata distribution, if any, will be determined in accordance with meneral Commission action.
- After 13AC has reviewed a claim and computed the proration, ISAC shall process the necessary voucner for a check payable to the College or Each participating College or University shall submit to ISAC an University for the awards.
 - ISAC shall forward a copy of such report to the Illinois annual report, no ey--met later than August 15, following the award year, of the activities, operations, and results of its STS grant Matching funds must be expended by the end of the Academic Tear program. ISAC shall for Board of Higner Scucation. a
 - Tust of requested in the same Academic Zear in which following the year in which the funds are reduested. Matching funds rust be requested in the same Acade

(Source: Amgnded 1 1996,

9260 the Voluntary Contribution is obtained.

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DEPARTMENT OF CHILDREN AND PAMILY SERVICES STICE OF EMERGENCY AMENDMENTS

Heading of the Part: Rate Setting

Code Citation: 89 Ill. Adm. Code 356

Emergency Action: Amend Section Numbers:

Section 5a of the Children and Family Services Act Statutory Authority: 20 71.05 505/521

Effective Date of Amendments: July 1, 1996

If this emergency rule is to expire before one and of the 150-day period, please specify the date on which it is to expire. Not applicable (9

Date Filed in Agency's Principal Office: July 1, 1996

1260 provides for a 3% cost of living addustment for providers which provide services to the State of illinois. The Department of Children and established rate setting Tethodology to provide the 3% cost of living adjustment enacted by the Seneral Assembly for discal year 1997. Department of Children and Samily Services for State Fiscal Year 1997. Family Services is one of several agencies which is modifying SB 1260 is the appropriation Reason for Smergency: 6

A COMPLETE DESCRIPTION of the Stores and issues intoying the properties of Shildren and Samily Services will be providing a ninee percent cost of Living adjacenes. This cost of Living adjacenes the service of the period of the service of the period of the services of the period of the services of the period of the services of the se Fiscal Year 1997) and will modify the Department's regular methodology for providing periodic rate adjustments for residential care providers. A Complete Description of the Subjects and Issues 6

This cost of living rate adjustment does not preclude the possibility for rate adjustments based ipon inanges in program services.

Are there any proposed amendments to this Part pending?

Statement of Statewide Policy Objectives: These rules do not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

Information and questions regarding these emergency amendments shall be directed to: 12)

Department of Children and Family Services 406 E. Monroe Street, Station #222 Office of Rules and Procedures Jacqueline Nottingham, Chief

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDRENTS Springfield, Illinois 62701 Tellephone: (217) 524-915 TTY: The full text of the emergency rules begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCZ AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPPER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER C: FISCAL ADMINISTRATION

PART 356 ATE SETTING

> Section 356.1 Purpose 356.2 Definitions

356.3 Types of Reimbursement Made by the Department 356.4 Cost Information Requirements of Providers 356.5 Determining Rate Reimbursement Levels PARROXNOY

356.6 Disallowable Costs and Reduced Reimbursement 356.7 Notice and Appeal of Provider Rates

AUTHORITY: Implementing and authorized by the Children and Family Services Act [20 ILGS 505];

SOURCE: Adopted at S. III, Reg. 113, as desired as received to 1881 amended as effective about 1,000 amendes at 111, 1881, 1131, 114

Section 356.5 Determining Rate Reimbursement Levels EMERGENCY

This Section applies to those situations where the Department promulgates standard or individual rates identified in Section 356.3(b)(2) and 33.

Andard or individual tares identified in Section 356.3(b)(2) and '3).

A) Porms - Financial responting forms shall be used in establishing cates

C) fermbursement, regardless of the 1798 of service provided.

b) Por-Profit Agencies - Contracts with for-profit Agencies must clearly definition to definite any poofs factor with must identify any poofs factor with must identify any poofs factor miss particles groweds. Profit will be exequcibled as an examinational cost and lab Limited bound percent of one cost missing months. Profit will also be included in calculating the years and months ones standard to be advantaged by the cost standard of a Pasacratic and a profit of the cost standard of a Pasacratic and a profit of the cost standard of a Pasacratic and a profit of the cost standard of a Pasacratic and a profit of the cost standard of

O Assertable Core Sendence - Assertable core invasors stall be upposed to the extract core of the core

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

costs for other services. Reimbursement may exceed the reasonable cost standards if a higher rate is negotiated as a result of a rate standard(s) are the result of a necessary level of resources purchased in a prudent manner. However, administrative costs may not exceed 20 that clearly demonstrates that costs in excess of percent of the costs of other services.

Revenues to be Offset - Revenues to be offset shall include grants, other non-purchase-of-service revenue from other governmental agencies, revenues from the school lunch program, and revenues from ocal education agencies. All revenues to be offset shall be reported These revenues will be considered as part of the resources available to the provider in determining reasonable costs. The Department will not reimburse a provider for the proportion of services or administrative charges that have been paid, wholly, or part, by such revenues. by the provider.

is greater. However, significant deviations from the utilization level may be used in rate-setting if unusual circumstances Units of Service and Provider Capacity - Reimbursement rates shall be determined on the basis of actual units of service provided or the median utilization for all agencies providing similar services, beyond the control of the provider directly caused a significant (e

of Children and Easily Services will receive a three per cent cost of Lubra adjacents traced your her earliers with the beautification as of Lubra 20, 1956. This previousne definition for State Stocks (see pagings received for this Part.)

If the Separates of the provisions of this Part. Sheirer Programs <u>– For State Piscal Vear 1997 (from July 1, 1996</u> chroudn June 30, 1997) <u>all child care institutions, group nomes,</u> Specia: Provisions for Calculating Individual Rate Reimbursement including Child Care Institutions, Group Homes, Maternity Centers, and materning centers and shelter programs contracting with the Department change in occupancy rates.

- Health and Developmental Mental o. Illinois Department
- utilization level that will be used to determine reimpursement cates shall be 38 percent of licensed or approved program Resabursement rates shall be determined on the basis of actual units of service provided, or the median utilization level for similar providers, unichever is greater. The maximum capacity. For the purpose of establishing the median utilization level, residential programs will be grouped into two categories: Disabilities.
 - Maternity Homes and approved Shelter programs. A) Child Care Institutions and Group Homes; and
- The reasonable cost standards for support and ownership costs the median costs of all similar Providers shall be deemed dissimilar, and subject to an adjusted cost standard if one or more of conditions has occurred on or after July 1, 1983: shall be 120 percent of

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SPARTMENT OF CHILDREN AND PAMILY SERVICES

NOTICE OF RMERGENCY AMENDMENTS

- the provider has built an entirely new building used the provider has renovated a building used directly by program citents and the annual depreciation and/or interest directly by clients of the program,
- the provider has entered a first-time lease for a building costs are \$23,300 or more, or
- These costs shall be demonstrated by an annual audit cost report and accompanying notes as prescribed by 89 Ill. Adm. Code 434 The reasonable cost standards shail include a geographic differential factor to reflect the differences in costs due to geographic location when differentials is determined by measurement of the audited costs reported by providers and the application of generally accepted statistical tests to these costs. Any geographic differential factor which results from these tests is included in the The existence (Audits, Reviews, and Investigations). used directly by program cilents. differentials exist. 0086
- percentage limitation shall be applied to the most recent rate unless that rate declined due to a combination of both reduced recent rate shall be used to determine the allowable maximum increase. This limitation will not be applied to cost increases 3)49 Historical costs, except depreciation, interest and amortization of allowable preoperating expenses snail be increased by infilation adjustment factor to rafflect the increases in costs caused oy general inflation. The maximum increase in a utilization and reduced costs. In such case, the next most mandated by requiatory agencies or program changes approved by facility's reimbursement rate shall be 150 percent of inflation adjustment factor for the most current year. Department's rate notices sent to providers.
- 6)57 New start programs not having historical costs shall have a rate set via a process which begins with completion of a pronected historical cost budger in the same format used to set nistorical The Regional Office developing the contract shall prevailing wage races; and with levels of supply, cunteranto, support and teneral common to similar programs. The Office of Contracts and Grants shall review the results and shall engage submitted data determines an anomaly or disparity in the data in comparison to other data submitted by other providers. A new start rate snall be set using the reasonable cost scandards applying to the exception: To allow for the phase-in placement of clients, the particular program under the terms of this Pule Part with negotiate ocers cased on a comparison of the budget with . of staffing generally needed for similar programs; in further negotiations when an examination of the Department Director. cost rates.
- A) the number five percentage points lower than the median divisor applied to costs will be the greater of:

NOTICE OF EMERGENCY AMENDMENTS

utilization level applying to ongoing programs of the same rybe; or

the projected utilization agreed to by the Department and Special Provisions for Calculation of Standard Rate Reimbursement Levels for Day Care Centers the provider. 8

6

1) Reimbursement rates will be calculated from the costs and utilization information presented in the independent audits. Only

all similar facilities. The facilities will be separated into Department will calculate standard reimbursement rates for geographic groupings that reflect the differences in costs due to reported costs of facilities under contract with the Department will be considered for calculating reimbursement rates. 2)

geographic location. A standard reimbursement rate will be calculated for each geographic grouping.

portion of the fair market value of donated goods and services will be considered for the calculating of standard reimbursement Day care centers are hereby excluded from the prohibition of inclusion of the costs of donated goods and services as stated The divisor applied to costs in order to calculate rates shall be in Section 355.6, Disallowable Costs and Reduced Reimbursement. rates.

the greater of 95 percent of the licensed or approved program The Department may make adjustments to reported wage and salary if it determines that they are insufficient to attract capacity or actual units of service. levels

Special Provisions for Calculation of Standard Rate Relabursement for capable caregivers in sufficient numbers. Non-Center Based Day Care Programs 2

Reimbursement rates will be calculated from the results of separate market surveys completed on licensed non-center based conducted waing a statistically valid random Statewide sample of all such programs. For non-center based programs not required to be licensed, the statistically valid candom sample will include an equal number of providers who accept State funds and those listed with the Statewide Child Care Resource and Referral licensed non-center based programs, the market survey will day care programs and on those not required to be licensed.

The Department will calculate separate reimbursement rates for licensed non-center based day care and for non-center based day The non-center based reimbursement rates will be calculated for each that reflect the differences in costs due to geographic location. geographic grouping for licensed non-center based programs day care programs will be separated into geographic decognation grouping for those not required to be licensed 9.265care programs not required to be licensed. Network but not funded by the State. 5)

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES NOTICE OF EMERGENCY AMENDMENTS

1. 1996, for a maximum of 150 days)

, effective July Emergency amendment at 20 Ill. Reg. (Source:

NOTICE OF EMERGENCY AMENDMENTS

- Heading of the Part: Hospital Reimbursement Changes
- 89 Ill. Adm. Code 152 Code Citation:
- Emergency Action: Amendment Amendment Amendment Section Numbers: 152.200 152.250 52,150
- Section 12-13 of the Illinois Public Aid Code (305 Statutory Authority: LCS 5/12-13

4

- Effective Date of Amendments: July 1, 1996
- if these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable (9
- Date Filed in Agency's Principal Office: July 1, 1996 5
- These emergency amendments are being filled pursuant to the Governor's fiscal year 1997 budget plan and the enactment of the State's budget by the Legislature. Emergency culemaking is specifically authorized for the implementation of the State's budget initiatives for iscal year 1997, by Public Act 89-499. Reason for Emergency:
- Complete Description of the Subjects and Issues Involved: These emergency amendments are necessary to implement the State's fiscal year 1997 budget and outpatient services rendered through June 30, 1997, according to the plan. The Department will continue to reimburse hospitals for inpatient levels calculated for each hospital that were in effect on reimbursement fuly 1, 1995. 6

Additionally, the Department is making substantive revisions to the rate appeal process appeal process. Sound in Section 152,150, The nospital rate appeal process as designed to ensure the financial integrity of hospitals committed to process more responsive by creating the potential for more hospitals serving the Medicaid population. Despite this process, two hospitals that qualified for, and received hardship appeal payments, closed in fiscal The proposed changes are intended to make the rate appeal deemed critical to the Medicaid Program (under the program known as CHAP Critical Hospital Adjustment Payments)) to maintain participation in the Program.

- It is anticipated that the continuance of fiscal year 1996 hospital rates will neither increase nor decrease annual aggregate expenditures in fiscal year 1997.
- Are there any Proposed Amendments pending to this Part? No 10)

DEPARTMENT OF PUBLIC AID ILLINOIS REGISTER

NOTICE OF EMERGENCY AMENDMENTS

- These emergency amendments do Statement of Statewide Policy Objectives: not affect units of local government.
- Information and questions rejarding these Emergency Amendments shall be directed to: 12)

100 South Grand Avenue East, Third Floor Illinois Department of Public Aid Bureau of Rules and Regulations Springfield, IL 62762 (217) 524-0081 Joanne Jones

The full text of the Emergency Amendments begins on the next page:

NOTICE OF EMERGENCY AMENDMENTS

SUBCHAPTER e: GENERAL TIME-LIMITED CHANGES DEPARTMENT OF PUBLIC AID TITLE 89: SOCIAL SERVICES CHAPTER I:

HOSPITAL REIMBURSEMENT CHANGES PART 152

Section

Diagnosis Related Grouping (DRG) Prospective System (PPS) Reimbursement Add-on Adjustments (Repealed) 152.150

Non-DRG Reimbursement Methodologies 52.200

EMERGENCY

Appeals SMERGENCY. 52.250

AUTHORITY: Implementing and authorized by Articles III, IV, V and VI. and Section 12-13 of the Illinois Public Aid Code (305 IGCS 5/Arts. III, IV, V and VI and 12-13] and implementing Article III of the Illinois Health Finance Reform Act (20 IDCS 2215/Art. III).

a maximum of 150 days; emergency amendment at 19 III. Reg. 10236, effective num 10, 1395, for a maximum of 150 days; amended at 19 III $\partial g_{\rm SF} \gamma \delta \delta 272$, effective November 27, 1995; emergency amendment at 20 III. Reg. $\partial g_{\rm SF} \gamma \delta 272$. SOURCE: Emergency rules acopted at 18 Ill. Reg. 2150, effective January 19, 1994, for maximum of 150 days: adopted at 18 Ill. Reg. 10141, effective June 1994; emergency amendment at 19 III. Reg. 6706, effective May 12, 1995, for effective July 1, 1996, for a maximum of 150 days. Section 152.150 Diagnosis Related Grouping (DRG) Prospective Payment System

- a) Notwithstanding any provisions set forth in 89 Ill. Adm. Code 149, the changes described in this Section will be effective January 18, 1994. described in 99 Ill. Adm. periods, as rate 6
- 149.25(g)(2)(B), the DRG weighting factors shall be adjusted by a factor, the numerator of which is the statewide weighted average DRG Code 148.25(g)(2)(A), and the denominator of which is the as described in 89 111. Adm. Code 148.25(g)(2)(B). For this adjustment, DRG base payment cate means the product of the PPS base rate, as described in 89 Ill. Adm. Code 149.100(c)(3), and the base payment rate in effect for the base period, as described in 89 statewide weighted average DRG base payment rate for the rate period, indirect medical education factor, as described in 89 Ill. Adm. Code
- calculated under 89 Ill. Adm. Code 149.140 and 149.150(c)(1), (c)(2) and (c)(4), in effect on January 18, 1994, shall payments.

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remain in effect until June 30, 1997 ±996.

- For hospital inpatient services rendered on or after July 1, 1995, and prior to July 1, 1997 1996, the Department shall reimburse hospitals using the relative weighting factors and the base payment rates calculated pursuant to the methodology described in this Section, that were in effect on June 10, 1995, less the portion of such rates attributed by the Department to the cost of medical education. É
 - This Section shall be automatically repealed effective June 30,

, effective July (Source: Emergency amendment at 20 Ill. Reg. 92 72 1, 1996, for a maximum of 150 days)

Section 152,200 Non-DRG Reimbursement Methodologies EMERGENCY

- a) Notwithstanding any provisions set forth in 89 Ill. Adm. Code 148, the
- changes described in this Section will be effective January 19, 1994. All per diem payments calculated under 99 Ill. Adm. Code 148, except 148.175 and 148.230(a), (c) and (d), in effect on January 18, 1994 less the portion of such sales attributed by the Department to the those described in 89 ill. adm. Code 148.120, 148,160, 148,170, cost of medical education, shall remain in effect until June 30, 1997 for
- This Section shall be automatically repealed effective June 30, 1997 ĵ

, effective July (Source: Emergency amendment at 20 Ill. Reg. 92 7 2 1, 1996, for a maximum of 150 days)

Section 152.250 Appeals MERCENCY

- Right to appeal. Any hospital seeking to appeal its prospective rate for operating costs related to inpatient care or other before July 31, 1996 ±995. The written request must contain the information as specified in subsection (c) below. The Department to the hospital's request for additional reimbursement or after receipt of any additional documentation requested by the Department, whichever is later. The hospital shall bear the burden of proof throughout the appeal process. allowable costs must submit a written request to the Department on or shall respond within 30 days a)
 - Non-appealable issue. The October 1, 1993, rates and reimbursement systems used to calculate the rates are not appealable. â ô
- The hospital must submit an explanation of the circumstances creating the need for the appeal, including a detail of the hospital services that will be significantly curtailed if the Appeal documentation.

NOTICE OF EMERGENCY AMENDMENTS

executive officer, chief financial officer, treasurer or its properly authorized agent. The signature verifies by written hospital is not granted financial relief. The explanation must include a statement of attestation signed by the hospital's chief declaration, and under penalties of perjury, that the signing officer has personally examined the documentation and that the

60 days old. Any liabilities payable to owners or related parties must not be reported as current liabilities on the cash The hospical must file a cash position statement which is based upon current assets (including all unrestricted investments), current liabilities and other data for a date which is less than information is true, correct, and complete. position statement.

statements audited by an external, independent certified public If consolidated financial statements are not available, then the individual audited financial statements from each of the related entities may be submitted separately. The Department will merge the information. A hospital that qualifies for financial relief relevant audited financial scatements *ts--tast-three-or-five audited-finantial-statementsy-depending--upon--the--quaitfication The nospital must submit a copy of its last three two financial If the hospital is part of a group of entities which both, a an external, independent certified public accountant secount is also required. under Section 152.250(d)(4)(A) or (B) must submit copies of all ö audited by are related by common ownership or control statement consclidated dinancial accountant.

Appeal Process. In no event shall financial relief be awarded, unless the hospital demonstrates to the satisfaction of the Director that the Medicald rate it receives under the Medicald prospective payment system is insufficient to ensure Medicaid recipients reasonable access to sufficient inpatient hospital services of adequate quality. In making such demonstration the hospital must meet all of the following option-chosen. criteria: ô

The current Medicald prospective payment rate jeopardices the in appropriate inancial jeopardy may be shown to exist if, by providing care to Medicard recipients at the current Medicard cate, the hospital can demonstrate that it is, in the acgregate, incurring a marginal loss. In appropriate cases, financial jeopardy may be shown to exist if the hospital is incurring a marginal gain but can demonstrate that it has unique and compelling Medicald costs, which if unreimbursed by Medicaid, would clearly jeopardize the long-term financial viability of the hospital. hospital's long-term financial viability. cases,

The population served by the hospital seeking financial relief no reasonable access to other inpatient hospitals. Ressonshie-sonnes--skiste--th--iss--ste--isser--the 5)

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NOTICE OF EMERGENCY AMENDMENTS DEPARTMENT OF PUBLIC AID

to -- the -- Department - than -- the -- to see -- and -- the -- the -- the -- the -- the ののの水!!の水!!最近小光末!なののでは、100mmのできません。 100mmの 100mm hospatar-seekang-fitangatak-retter.

TABLE TO THE TABLE TABLE TABLE TO THE TABLE TA The financial ratio-of--current--seets--to--current--ricobibitios refrected -- on she cash posteron statement described in subsection

49.50(c)(4), pr

the mospical qualified for Critical Mospital Adjustment Payments (CMAP) under 39 Ill. Adm. Code 148.295 in State fiscal year 1996, it has a Medicaid utilization cate, as defined in 39 ill. Adm. Code is3.123(K)(5), that is treater than 40 percent, it has a combined Medicaid/Medicare ication rate, as defined in subsection (f)(4) pelow, that is greater than 70 percent, and it has an incompensated care percent, as described in subsection (f)(6), that is greater chan four percent and-whose-average-tength--of--stay Veril - Veriab - GG - 65600 - 10000 exchade-Medicand-accounts-receivables-Brom-rhis--and--define--funded--depressation-ma-satsisted-fund-under

The financial statements described in subsection (c)(3) above must reflect a net loss in each of the three periods, however: adbsection-(6)(5)-sf-this-Section. ç

hosital's fiscal year ending June 30, 1996, or a period no less than six months between the end of its fiscal year and for a hospital whose must-reflect-s-net-ross-in-each-of-the two-perrods-rf-the-nospitsits Medicaid inpatient utilitation greater tess than 50 percent, is not a nospital as described in 89 Ill. Adm. Code 148.25(b)[11(A) or 148.150[a][5], or 89 Ill. Adm. Code 149.50(c)(1) or 143.50(c)(1), must reflect 3 net loss in two out of the last four periods it a net loss in three out of the last six periods. Hospitals qualifying under this subsection may exclude 1.5 percent if neit net granted oursuant to Part 152 during State fiscal year 1995 and 1996 from this calculation. Hospitals whose discal year ends on or no later than six months prior to June 30, 1996, may submit a preliminary financial statement for the operating sevenue and payments made for hardship selled 1996. This preliminary financial statement must Gode 148.129(K)(5), may submit a preliminary financial statement rate, as defined in 89 ill. Adm.

NOTICE OF EMERGENCY AMENDMENTS

accompanied with an attestation samed by the hospitalis for the fraction of the foreign of the fraction of the accuracy and validity of such statement. In addition foreign and validity of such statement, in addition foreign and validity of a Esteraint Delaints each select and (ESEC). The execution of the accuracy of stilize generally accepted accounting principals and be

Agenty of the control was created train 7 sectors, and whose in compensated case was created train 7 sectors, and whose incompensated case RECORD. As described in subsection [5](6) below was been than 185 four sectors was refresh and how one of our of the Mass four periods on and loss in the out of the Mass four periods on and loss in the For nospitals that qualified for Critical Hospital Administrant Payments index 89 Ill. Adm. Code 148.295 in State Medicald/Medicare the last six periods. Hospitals qualifying under this subsection may, in addition to the adeucations and the adsistance of the delections and the additive to submit preliminary, financial statements, as under subsection (d)(4)(A) above, deduct revenue erived from a FQMC clinic that is physically located on the 30日 - ははなけいしょうないはなのではないないないないないないないないできないとなるないとなるないのでしょうのものできませんというないのできませんというないのできませんというないというないのできません boss--ower--the-five-year-pertody-if-the-hospital-s-Medicaid ummediate nospital campus must-reflect-a-met-loss-th-two-out Ori-the-hast-three-pertods-thospataks-oxned--by--a--Dedenathy Hossinstintee cattor of the hase hase by the genting a titth and agained ate ものひなななのなしななななななななののでななる?」のの「defermed」を取りの「Hana」 Admin - - Gode taloning of the control of the contr Fength-of-stay-darting-State-fiseer-year-1994-4as--hass--than combined whose cercent, Gentified 29-days. É

liabilities of less than or equal to 1.4 ±+9. However, when determining such ratios a hospital may exclude Welfoad accounts receivables. From this calculation and define inded depreciation as destineformed from the socious in a restricted find under subsection [1]. The index socious is the index of the socious in the control of the socious in the control of the socious in the index of the socious in the control of the socious in the control of the socious in the control of the cont most recent financial statement as described in subsection (c)(3) above must reflect a ratio of current assets to current percent, and it is not a Adm. Code 148.25(b)(l)(A) Code 149.50(c)(1) defined in 89 Ill. Adm. 148.120(k)(5), is greater than 50 percent, and hospital as described in 89 Ill. Adm. Code 141 or 148.120(a)(5), or 39 Ill. Adm. Code 149 9 rate, utilization

the Hospital qualified for Critical Hospital Adjustment beyments (CHAP) under 39 ill. Adm. Code 148.295 in State fiscal year 1995, and it has a Wedicald utilization rate, as defined in 89 ill. Adm. Code 148.120(x)(x), that is greated to 18 ill. Adm. Code 148.120(x)(x), that is greated 49.50(c)(4), or

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DEPARTMENT OF PUBLIC AID

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than 40 percent, and it has a combined Medicare utilization tate, as defined in subsection (f)(4) below, that is greater than 70 percent, and it has an uncompensated care percent, as described in subsection [5](6) below, that is greater than four percent and the average tength -ef-stay durana-State-Eiscai-Vear-1994-Was-Sess--than--28--days---may exclude -- Medicard -- accounts - receivable - from - this - calculation and-define-funded-deprectation-ss-s-restricted--fund--under subsection-(8)(5)-of-this-Section.

- relief. If the hospital demonstrates adequate financial relief to be granted. The amount of the financial relief will be of the financial Definitions. For purposes of this Section, unless the context Jeopardy, the Department will determine the amount dependent upon the individual hospital's needs.
 - "Current assets" must follow Generally Accepted Accounting Principles, except for this purpose all unrestricted investments must be included as current assets. requires orherwise:
 - "Current liabilities" must follow Generally Accepted Accounting entities related by ownership or control must not be included as Principles, except for this purpose any liabilities current liabilities.
- costs, at 60 percent of total inpatient operating costs and fixed "Marginal loss" is the amount by which total variable costs for calculating marginal loss, the hospital shall compute variable costs at 40 percent of rotal inpatient operating costs; however, the Director may accept a different ratio of fixed and variable operating costs if a hospital is able to demonstrate that a different catio is appropriate for its particular institution. each patient day exceeds the Medicaid payment rate.
- February 18 described in 89 III. NOTA.
 18120/KISJ. SKCLOdini Wedcates/Medicate Crossover days as described in 89 III. Ann. Cade 18120/KISJ. SKCLOdini Wedcates/Medicates/Medicates/Medicates/Medicates/Medicates/Medicates/ "Medicard Medicare Utilization Rate" means the Medicard inpatient utilization rate, as described in 89 III. Adm. Code numerator is the number of nospital Medicare inpatient Bays provided in the case fiscal year described in 39 Ill. Adm. Code 148.120(k)(1) as reported on the Medicare cost report (HCFA 2552) is the total number of nospital inpatient days in that same period as reported on the Medicare one denominator of which cost report (HCFA2552).
 - of current assets to current liabilities" means current assets divided by current liabilities, as defined above. "Ratio 574
- "Uncompensated Care Utilization Rate" means a fraction of which the dumerator is the hospital's incompensated care charges provided in a given twelve month period, as described in 39 Ill. Adm. Code 148.150[b][4], and the denominator of which is the hospital's total charges, as described in 89 Ill. Adm. Code

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[48.10(1)], in the same base weeks, sed escentioned in §9 111, Ann. Code 148.15(D)(1). In this supersting (I)(5), the term uncompensated case charges fibl include. In addition, to its usual childlon, includes the include the addition to its usual childlon, includes the Tensistone Religion by the Pamirant index the Tensistone Religion and the Pamirant index the Tensistone Program for the Religion and the Resistance (Article VII).

- 194 **District California **, see fund on the base to been more controlled to the co
- Section 12.250(4)(1) (1)(1)(1) and (4)(5).

 1) Nehing in these profitions shall sectious the Disease of the Operations of The Operation of The Oper

(Source: Emergency amendment at 20 III. Reg. 9272, effective July 1, 1996, for a maximum of 150 days)

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STICE OF EMERGENCY AMENDMENTS

- Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- | Section Numbers: | Descency Actions | 148.24 | Associated | 148.140 | Associated | 148.140 | Associated | 148.250 | Associated | 148.250 | Associated | 148.250 | Associated | 148.250 | Association | 148.250 | Association
- Statutory Authority: Section 12-13 of the Illinois Public Aid Code (305 ICCS 5,12-13)
- 5) Effective Date of Amendments: July 1, 1996
- If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable
- 7) Date Filed in Agency's Principal Office: July 1, 1996
- 8) Reason for Descreptly. These exceptory anothers are being filed pursuant to Corner Corner of Corner (1997) budges plum and the enacrment of the States sudget by the Logislature. Description authorized for the implementation of the State's sudget initiatives 50x fiscal year (1997) by public her 59-43 and Bruse Bill 12.
- Complete Description of the Subjects and Instance Involved These energency amendments connecting the Department's relabelsement methodologies for hospital services are being filed in conjunction with the State's budget plan for fiscal year 1997.
- Exection (18-8). Organ Transplant Services, a reference to applicable disproportionate shake payment adjustments in sussection (9/10) is being disproportionate what spread concentral ordinate adjustments is incorrectly placed in the current rine. Outline adjustments do not apply to organ transplant procedures. The corrected dispraced on the procedures. The corrected dispraced specifies the use of applicable Medicald high volume adjustments.

In Section 1821 10 and 1820, the susact deces are bodge distincted for the estimurement of inquirent supplient and county provided the estimurement of inquirent supplient and county provided papers. The contemporary of county-provided inopization is in littles counties with appropriations over three militant. These changes are appenditures the fister, was 1996 levels.

New Section 118,255 is being implemented to provide recognition and payments for excellence in casdemic medicine. This new relimburement methodology allows for the distribution of funds created under the

NOTICE OF EMERGENCY AMENDMENTS

Services The purpose of these funds is to support continued efforts to enhance access to medical services at high quality medical centers for Medicald eligible recipients. This new program is expected to increase annual aggregate expenditures by Excellence in Academic Medicine Act, the Post-Tertiary Clinical Fund and the Medical Research and Development Fund.

Are there any Proposed Amendments pending to this Part? No

S6.8 million.

- 90 These emergency amendments Statement of Statewide Policy Objectives: not affect units of local government.
- Information and questions regarding these Emergency Amendments shall be directed to:

Bureau of Rules and Requiations Joanne Jones

100 South Grand Avenue East, Third Floor Illinois Department of Public Aid Springfield, IL 62762 (217) 524-0081 The full text of the Emergency Amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS DEPARTMENT OF PUBLIC AID

TITLE 89: SOCIAL SERVICES CHAPTER I: DEPARTMENT OF PUBLIC AID SUBCHAPTER d: MEDICAL PROGRAMS

HOSPITAL SERVICES PART 148

Section

Organ Transplants Services Covered Under Medicaid (Repealed) Services Not Covered as Hospital Services Limitation On Hospital Services Definitions and Applicability Heart Transplants (Repealed) Covered Rospital Services Organ Transplant Services General Requirements Special Requirements Hospital Services Participation 148.10 148.30 148.40 148.50 148.60 48.70 18.80 48.82

Outlier Adjustments for Exceptionally Costly Stays Disproportionate Share Hospital (DSH) Adjustments Hospital Outpatient and Clinic Services Bone Marrow Transplants (Repealed) Liver Transplants .Repealed) 148.100 148.120 148.130 148.140

Payment Methodology for County-Owned Hospitals in a County with a Population of Over Three Million Public Law 103-66 Requirements

EMERGENC?

148.160 48.170

Payment Methodology for Hospitals Organized Under the University of Supplemental Disproportionate Share Payment Methodology for Hospitals Illinois Hospital Act

Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting Organized Under the Town Rospital Act Alternate Reimbursement Systems Copayments 148.180 148.190 148.200

Utilization Review and Furnishing of Inpatient Hospital Services Admissions Occurring on or after September 1, 1991 Pre September 1, 1991 Admissions 148.220 148.230 148.240

Filing Cost Reports

148.210

Determination of Alternate Cost Per Diem Rates for All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates Determination of Alternate Payment Rates to Certain Exempt Hospitals Calculation and Definitions of Inpatient Per Diem Rates Directly or Under Arrangements for Certain Other Hospitals 48.250 48.260 48.270

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148.280	Reimbursement	148.280 Reimbursement Methodologies for Children's Hospitals and Hospital	for	Children's E	Tospitals	and F	Hospitals
	Reimbursed Un	Reimbursed Under Special Arrangements	пдешег	ts			
148.285	Excellence in	148.285 Excellence in Academic Medicine Payments	ne Pay	ments			
EMERGENCY							

Adjustments and Reductions to Total Payments Critical Rospital Adjustment Payment (CHAP) Dayment 48.295

Review Procedure 48,310

Subacute Alcoholism and Substance Abuse Treatment Services Alternatives Exemptions 48.320 48.340

Types of Subacute Alcoholism and Substance Abuse Treatment Services Definitions 148.350 48,360

Treatment Payment for Subacute Alcoholism and Substance Abuse Volume Adjustment (Repealed)

Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services 148.368 48,380

Services Hearings 48.390

Special Hospital Reporting Requirements

148.400

(20 ILCS 2215/Art. III) and implementing and authorized by Articles III, IV, V, 71, and Section 12-13 of the Illinois Public Aid Code (305 ILCS 5/Arts. III, NUTHORITY: Implementing Article III of the Illinous Health Finance Reform Act IV, V, VI and 12-131. SCURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 III. Reg. 9572; Section 148.120 recodified from 89 III. Adm. Code 140.110 at 13 III. Reg. 12118; amended at 14 III. Reg. 2553, effective February 9, 1990; emergency amendment at 14 ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired 9. 1991, 7. Oz a maximum of 130 Apps semeceptory expired Annalry 6. 1993 American endergent medicant at 15 ILL Reg. 15166, effective November 1, 1991, for a maximum of 130 days amended at 15 ILL Reg. 1694, effective December 23, 1982, and 1894, effective Recently Reg. 1992, effective Nacrb 27, 1982, energency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 for a maximum of 150 days; emergency amendment Reg. 131, effective December 21, 1992; amended at 17 III. Reg. 3296, effective March 1, 1993; amended at 17 III. Reg. 6649, effective April 21, 1993; amended amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 11942, effective July 10, 1992,

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at 18 III. Reg. 14117, effective September 1, 1994; amended at 18 III. Reg. 17648, effective November 29, 1394; amended at 19 III. Reg. 1067, effective Admunty 20, 1995; esergency desciment at 19 111 Pega 3510, effective March 1, 1995; esergency desciment at 19 111 Pega 3510, effective March 1995; esergency expired July 29, 1995; esergency especial per 111, Pega, 6730, effective May 11, 1995, for a maximum of 100 days; amended at 19 111, Pega 1073, effective July 1, 1995, for a maximum of 100 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 100 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 19 111, Pega 10735, effective July 1, 1995, for a maximum of 190 marched at 190 march days; amended at 19 Ill. Reg. 13009, effective September 5, 1395; amended at 19 III. Reg. 1650, effective November 28, 1955; amended at 70 III. Reg. 972. defective becember 28, 1955 amended at 20 III. Reg. 972. defective visy 31. 1956, emergency amendem ts 20 III. Reg. 9. 2. A. . effective out 1, 1961. Req. 17323, effective October 1, 1993, for a maximum of 150 days; amended 12853, effective August 2, 1994, for a maximum of 150 days; amended amendment at 18 Ill. Red. 3450, effective February 28, 1994; emergency for a maximum of 150 days. Red.

Section 148.82 Organ Transplant Services

(10)

- identified under subsection (b) below which are provided by certified organ transplant centers which meet the requirements specified in Department of Public Aid will gover orden transplants as Introduction
- double), liver, Bone marrow, heart, heart/lung, lung (single or Covered Services ā

subsections (c) through (h) of this Section.

- covered when a a transplant below and provide the necessary documentation of the number of complete the certification process established in subsection transplant procedures performed and the survival rates. hospital has been certified by the Department as eligible to perform such transplants. Other types of transplant procedures may pancreas or kidney/pancreas transplantation.
 - Medically necessary work-up and evaluation up to three prior to transplantation. Certification Process
- In order to be destified to receive reimbursement for transplants
- Request an application from the Bureau of Hospital Services; performed on Medicard patients, the hospital must:
- Submit a completed application to the Department for the which the 101 type of transplant certification;
- Meet certification criteria established in subsection (d) application by the State Medical Advisor, Committee (SMAC); review and recommendation below, based upon
- seeking Submit a detailed status report on each patient for the type hospital the which of transplant for â

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hospitalization, charges, survival rates, patient-specific transplant outcome, and complications (including cause of death, if applicable) for all transplants performed for the sertification. Such reports must include the patient's the privacy of parlents included in this report, names of two years preceding the date of the application. To protect length Medicald and non-Medicald patients are not required. 4 date

The Department shall notify the nospital of approval or denial of nospital as a transplant center for Medicald eligible

to provide a covered service set forth in subsection (b) above within the time frame necessary to preserve the recipient's nealth, the Department shall review a request for prior approval of the service from a non-certified facility, and if the facility satisfies the criteria for certification, approve In the event that no hospital formally certified the request on an individual case basis. able Department 18 Datients.

Certification Criteria ç

Hospitais seeking certification as a transplant center shall

The hospital is capable of providing all necessary medical submit documentation to verify that: -

The hospital has had the transplant program for heart and The hospital is affillated with an academic health center; care required by the transplant patient; G G

12 transplant procedures per year for the past two years and 12 cases before that for adult heart and liver transplants; liver transplants in operation for at least three years with

The hospital has had the transplant program for heart/lung and lung transplants in operation for at least three years with ten transplant procedures per year for the past two years and ten cases before that for adult heart/lung and í

A hospital specializing in pediatric heart/lung and lung in operation for at least three years and has performed a minimum of six transplant transplants has had a program lung transplants; û

procedures per year for the past two years, and six The hospital has had the transplant program for adult and pediatric cone marrow cransplants in operation for at least two years with it transplant procedures per year procedures before that; G

transplants, or both, has had a program in operation for at years and has performed a minimum of specializing in pediatric heart past two vears; three hospital 6

transplant procedures per year for the past two years, and the hospital has had the transplant program in operation for six procedures before that; Œ

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least three years with 25 transplant procedures per year for the past two years and 25 cases before that for xidney transplants, and five transplant procedures per year for the years and five before that for pancreas transplants, or 12 transplant procedures per year for the past :wo years and 12 before that for kidney/pancreas transplants: 07.1

The hospital has experts, on staff, in the fields of nursing, social services, organ procurement, associated surgery and internal medicine to anesthesiology, immunology, complement the transplant team. In addition, in order pulmonology, infectious disease, cardiology,

qualify as a transplant center for pediatric parients, the hospital must also have experts in the field of pediatrics; The hospital has an active cardiovascular medical and of cardiac coronary arteriograms and open heart procedures per year for neart transplant candidates: surgical program as evidenced by the number cathererizations,

The hospital complies with applicable State and federal laws The hospital has pathology resources that are available and reporting the pathological responses transplantation; studying 2 3

The hospital participates in a recognized national donor and regulations;

procurement program, abides by its rules, and provides the national organization Department with the name of the which it is a member; ŝ

hospital has an interdisciplinary body to determine the to meet the The hospital has blood bank support necessary suitability of candidates for transplantation; demands of a certified transplant center; and ô î

The hospital meets the applicable transplant survival rates as supported by the Kapian-Meier method or other method accepted by the Department: 6

A one-year survival rate of 50 percent for bone marrow transplant patients;

A one-year survival rate of 75 percent and a two-year survival rate of 60 percent for heart transplant Datients;

A one-year survival tate of 75 percent and a two-year survival rate of 60 percent for liver transplant of 90 percent for kidney transplant and a one-year survival rate of 30 percent A one-year survival rate Datients:

for pancreas transplant; or a one-year survival rate of 80 percent for kidney/pancreas transplant patients; survival rate of 60 percent for heart/lung and lung A one-year survival rate of 65 percent and a

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- The commitment of the hospital to support the transplant center be at all levels as evidenced by such factors as financial the support (single or double) transplant patients. resources, allocation of space and
 - professional staff for the transplant program and its patients. Component teams are integrated into a comprehensive transplant team with clearly defined leadership and The hospital must demonstrate that:
- The hospital has adequate patient management plans and The hospital safeguards the rights and privacy of patients; responsibility:
- hospital must identify, in writing, the director of the qualifications. Physician team members must be identified as board certification, or pending board certification, and the transplant coordinator's transplant program and the members of the team as well as protocols to meet the patient and hospital's needs. 3
- The hospital must provide patient selection criteria including indications and contraindications for the type of transplant name rust be submitted. 7
 - procedure for which the facility is seeking certification. e) Recentification Process/Criteria
- transplant centers. A certified center must submit documentation Section for review by the Department's State Medical Advisory The Department will conduct an annual review for certification of established under subsections (c), (d), (f) and (h) of this Committee for agentification as a transplant center.
 - Survival rates of previous transplant patients must be documented prior to certification. The center must maintain patient volume the year of certification based on previous transplant
- The Department shall notify the hospital of approval or denial of the recertification of the hospital as a transplant center. statistics.
- The hospital must notify the Department prior to performance of the transplant procedure. The notification letter must be from a Notification of Transplant

physician on the transplant team.

- The notification must include the admission diagnosis and pre-transplant diagnosis. 2)
- The Department shall notify the hospital regarding receipt of the notification and provide the appropriate "patient tracking" forms
 - 6
- Section are exempt from the provisions of Sections 148.250 through 148.330 and 89 Ill. Adm. Code 149 of the Department's Hospital services rendered for transplant procedures under this administrative rules governing hospital reimbursement. Hospital reimbursement for transplants covered within this Section is an

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all-inclusive rate for the admission, regardless of the number of days of care associated with that admission, which is limited to a maximum of 60 percent of the hospital's usual and customary number of days listed below for specific types of transplants: charges to the general public for the same procedure

- A maximum 30 consecutive days of post-operative inpatient double), A) Three days of pre-operative inpatient work-up; and care for heart, heart/lung, lung (single or
- consecutive days of inpatient care for liver transplant; pancreas, or kidney/pancreas transplant; or
- 50 consecutive days of inpatient care for bone marrow transplant: or 6
- For those transplants covered under subsection (b)(2) of this Section, the number of consecutive days of impatient Reimbursement will be approved only when the Department's letter care specified within the transplant certification process. 5
 - acknowledging the notification of the transplant procedure is Applicable disproportionate snare payment adjustments snail be attached to the hospital's claim. 3
 - Medicald 701ume Poptrespie--outhiten--adjustisents--angi---oe-made---AGGのなるなおのの一米セセガーの中のセセのガードネのマドンの・ハックロドルのながなの「しょうりゅうセレーリの 44 47 Me 3 4 made in accordance with Section 148,120(g). Applicable
- The rate will not include transportation and physician fees when reimpursed pursuant to 89 Ill. Adm. Code 140.410 through 140.414 Hospital reimbursement for bone marrow searches is limited to 60 adjustments snall be made in accordance with Section 148,290 percent of charges up to a maximum of \$25,000. Payment for and 140.490 through 140.492, respectively. 4
 - marrow searches will only be made to the certified center requesting reimbursement for the bone marrow transplant. Reporting Requirements of Certified Transplant Center â
- must submit annually a statistical forth in this subsection. The center Patient Tracking set

The following documentation must be submitted within the time limits

- including information for all patients naving received transplants at the transplant center. Patients not covered by Medicaid may be identified numerically or by other neans Datient summar? to protect the nospital, ρŏ identified
- The discharge summary for each Medicald patient must be one patient's confidentiality. The summary must include, but is limited to, snort and long term outcome on all patients. received by the Department within 30 days of B
- The annual outcome summaries for each Medicald patient must be received by the Department within 30 days of the annual patient post-transplant evaluation.

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- For those Medicald patients who expire, a summary must be received by the Department within 30 days of the patient's
- The center must notify the Department within 30 days of any changes in its program, including, but not limited to, certification oriteria, patient selection criteria, members of the transplant team and the coordinator. Notification of Changes

, effective (Source: Emergency amendment at 20 III. Reg. 9281

Section 148.140 Hospital Outpatient and Clinic Services

- Fee-For-Service Reimbursement (m)
- Reimbursement for nospital outpatient and hospital-based clinic services shall be made on a fee for service basis, except for:
- of the Hospital Ambulatory Care Program as described in subsection (b) of this Section, which shall be reimbursed in accordance with subsections (b)(4) and (b)(6) of this Section, and adjusted definition Those services that meet the
- ESRDT services, as described in subsection (c) of 9

in accordance with subsection (b)(8) of this Section;

- Section, which shall be reimbursed in accordance with subsection (c) of this Section, and adjusted in accordance with subsection (c)(5) of this Section; and
- described in 89 Ill. Adm. Code 140.461(f)(l)(D) and Section 148.25(b)(5)(D), which shall be reimbursed in accordance with 89 III. Adm. Code 140.464(b). Fee-for-service reimbursement levels shall be at the lower of the Those services provided by a Certified Pediatric Ambulatory Care Center (CPACC), as 2)
- hospital's usual and customary charge to the public or the Department's statewide maximum reimbursement screens. Hospitals will be required to bill the Department utilizing specific service codes. However, all specific client coverage policies (relating to client eligibility and scope of services available service billed are manner as to non-hospital to the clients) which pertain applicable to hospitals in the same providers who bill fee for service. to those
- 148.25(b)(2)(A), the reimbursement rate described in subsection (a)(2) acove snall be adjusted on a retrospective basis. The retrospective adjustment shall be calculated as follows: to those hospitals described With respect 3
- The reimbursement rates described in subsection (a)(2) above shall be no less than the reimbursement rates in effect on June 1, 1992, except that this minimum shall be adjusted on the first day of July of each year by the annual percentage

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change in the per diem cost of inpatient hospital services as reported on the two most recent annual Medicaid cost

- The per diem cost of inpatient hospital services shall be calculated by dividing the total allowable Medicaid costs by the total allowable Medicaid days.
 - (CRACC), as Secribed in 89 III. Adm. Code 140.461(f)(1)(A) and Section 148.25(b)(5)(A), Certified Hospital Organized Satellite Section 143.25(b)(5)(D), for covered services as described in 89 III. Adm. Code 149.455(c)), that are provided to non-sastymed Material and Child Sealth Program Resiny-Monafestiny-Fide program clients, as described in 89 III. Adm. Code.140.46(19)(1). Maternal and Child Health Program Healthy -- Momsy Healthy -- Rids cates, as described in 89 Ill. Adm. Code 110 Table M, shall be paid to Certified Hospital Ambulatory Primary Care Centers and Section 148.25(b)(5)(B), and Certified Obstetrical Ambulatory Care Centers (COBACC), as described in 89 Code 140.461(f)(l)(C) and Section 148.25(b)(5)(C). Maternal and Child Health Program Hemithy-MomerHemithy-Kids rates shall also be paid to Certified Pediatric Ambulatory Care Centers (CPACC), as described in 89 Ill. Adm. Code 140.461(f)(l)(D) and in 89 Ili. Adm. Clinics : CHOSC), as described 140.461(f)(1)(B) Adm. 7
 - Certified Pediatric Ambulatory Care Centers (CPACC), as described in 89 III. Adm. Code 140.461(f)(1)(D) and Section 148.25(b)(5)(D), shall be reimbursed in accordance with 89 III. Adm: Code 140.464(b)(2) for assigned clients. 6
 - 148.25(b)(2)(B) shall be required to submit outpatient cost reports to the Department within 90 days after the close of in Sections 148.25(b)(2)(A) facility's fiscal year. described Hospitals (9
- With the exception of the retrospective adjustment described in the reimbursement rates calculated under this Section. subsection (a)(3) above, no year-end reconciliation Hospital Ambulatory Care Program

â

- Effective April 1, 1986, the Department liberalized the list of allowable ambulatory procedures to add many surgical, diagnostic and highly technical treatment procedures that can be performed and reimbursed on an ambulatory basis.
 - Under the Hospital Ambulatory Care Program, a Hospital Ambulatory 1) Hospital Ambulatory Care Groupings
- technical procedures that require the use of the hospital outpatient or hospital-based clinic setting, its technical staff and/or equipment. These procedures were separated into four separate groupings based upon the complexity and historical costs of the procedures. Care list was developed that defines those separate groupings are as follows:
 - A) Group I procedures are high level technology surgeries that consume many hospital resources and are costly to deliver.

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- Group II procedures are certain nonsurgical, very high level technology services recognized and approved by Department as safe outpatient procedures.
- Group III procedures are other surgical, specialized cardiac Group IV procedures are specialized treatment procedures, and diagnostic procedures.
 - emergency and observation services, high risk, Hospital Ambulatory Care List Updating services.
- technology changes, so do the procedures that fall into the four addition, annual changes in the ICD-9-CM procedure codes and their meanings necessitate annual changes to The Rospital Ambulatory Care List is updated periodically. the Hospital Ambulatory Care List. ij categories.
- Reimbursement for Hospital Ambulatory Care procedures was initially developed in 1986. For each of the four separate groupings identified in subsection (b)(l) above, a set rate the procedure would most likely be performed (i.e., outpatient department, general alinic department, psychiatic olinic department, promistric or mysical rehabilitation clinic department). These hospital, the type of nospital, and the setting in which Hospital Ambulatory Care Reimbursement Prior to July 1, 1995 maximum has been developed based upon the complexity of costs, and teaching status of procedures, historical 3
- be reimbursed in accordance with the statutes and administrative upon the above factors. Reimbursement for Hospital Ambulatory Care procedures performed prior to July 1, 1995, shall rules governing the time period when the services were rendered, Hospital Ambulatory Care Reimbursement Effective July 1, 1995 ÷

set rate maximums have been periodically adjusted since 1986

- Effective July 1, 1995, reimbursement for Rospital Ambulatory Care procedures snall be as follows:
- With respect to Group I procedures described in subsection charges or the hospital's alternate reimbursement rate, as defined in Section 148.270(a), equivalent to the rate of a (b)(l)(A) above, reimbursement shall be at the lesser of one-day inpatient stay.
- With respect to Group II procedures described in subsection charges or one of two separate rate maximums depending upon (b)(l)(B) above, reimbursement shall be at the lesser of whether the hospital is classified as: 8
- A hospital defined in Section 148.25(b)(2)(A) through (b)(2)(C) which is a major reaching hospital as defined in Section 148.25(d); as defined in
- A hospital defined in Section 148.25(b). 149.50(c)(3); or
 - With respect to the Group III procedures described in G

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A hospital defined in Section 148.25(b)(2)(A) through (b)(2)(C) which is a major teaching hospital, as 148.25(d); or a children's subsection (b)(l)(C) above, reimbursement shall be at the two separate rate maximums lesser of charges or one of two separate rate ma depending upon whether the hospital is classified as: 68 C C defined in Section hospital, as defined

With respect to the Group IV procedures described in A hospital defined in Section 148.25(b). subsection (b)(1)(D) above, 149.50(c)(3); or

reimbursement shall be at the lesser of charges or one of six separate rate maximums A hospital defined in Section 148.25(b)(2)(A) through (b)(2)(C) which is a major teaching nospital, as depending upon whether the hospital is classified as: í

A hospital defined in Section 148.25(b); and defined in 89 149.50(c)(3); or hospital, as

148.25(d); or a children's

Section

C.

defined

iii) Whether the service is provided in the outpatient, general clinic, psychiatric clinic, or rehabilitation clinic department.

 A) Effective for services provided on or after July 1, 1995, County Facility Outpatient Adjustment

county owned hospitals in an Illinois county with a population of over three million shall be eligible for a adjustment payment shall be in addition to the amounts calculated under this Section and are calculated as follows: Beginning with Fer-the-rate-year July 1, 1995, through June-98y-1996, hospitals under this subsection shall receive an annual adjustment payment equal to total base year hospital outpatient costs trended forward to the rate year minus total estimated rate year hospital outpatient payments, multiplied by the resulting ratio of the difference between total base year hospital total estimated rate year nospital outpatient payments outpatient costs trended forward to the rate year county facility outpatient adjustment payment. derived when the value 200 is divided by the

The county facility outpatient adjustment under this subsection shall be made on a quarterly basis. divided by one million.

definitions of terms used with reference to calculation of "Base Year" means the most recently completed State the county facility outpatient adjustment are as follows: County Facility Outpatient Adjustment Definition. 8

"Rate Year" means the State fiscal year during which

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- iii) "Total Introduction to among a made.

 Manaced Reverse fear Engistal Outpatient
 Payments means the Department's fotal estimated
 outpatient dear of service liability, projected for
 the upcoming tate pear.
- iv) "Total Hospital Outpatient Costs" means the statewide sum of all hospital outpatient costs derived by summing each hospital's outpatient charges derived from actual paid claims data multiplied by the
- from actual paid claims that multiplied better hospitals occarbordharge ratio.

 NO Year-End Recordination
 Afth the exception of the exception of the exception of the exception of this Section, no west-end reconditation
- in subsection (b)(7) of this Section, no year-end reconciliation is made to the reimbursement rates calculated under subsection (b).
- 7) Reta Adjustants
 18370[2] Alth respect to those hospitals described in Sections
 18370[2] Alth the relabutement cases described in subsection
 (b)(4) above mail to adjusted on a recrospective basis. The
 recrospective adjastment shall be calculated as collocat.
- A) The technologistic mass described in supposition (b)(1) above shall be no less than the estimutesment rates in effect on June 1, 1922, sweeper that this minimum shall be adjusted on the first day of July of each year by the annual bedieved on the first day of July of each year by the annual precentage damped in the effect of intention of inpatient in Desgital securices as reported on the two nost recent annual Medical doors
 - Report of the cost of impatient hospital services shall be calculated by dyiding the total allowable Wedicald costs by the cost of the costs by the costs of the
- 9) Services are available to all clients in geographic areas in which an encounter rate hospital or a country-operated outpatient facility a locate. All septical clients in overage policies (retaining to client eligibility and scope of services available to those clients) and no pertain to the service suitable applicable to nospitals semmores at one the Ambulatory Care Program in the sea ammer as to encounter the Ambulatory Care on morthospital and hospital providers who bill and recained to the country of the country care of the ca
 - residencement on a few-for-service basis.

 9) Respirats described in Secrions 118.25(b)(2)(A) and (b)(2)(B)
 shall be required to sabart outparient cost reports to the
 Department within 90 days after the close after the facility's
 fiscal year.
- services provided pursuant to Section 148.40(c) shall be made at the Departiment's payment rates, as follows:

 1) For impatient hospital, services provided pursuant to Section 148.40(c)(1), the Department shall resimburse hospitals pursuant

outpatient end-stage renal disease treatment (ESRDT)

Payment for

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- to Sections 182.20 through 182.30 and 89 III. Adm. Code 189.

 Person competitions are rectices or home dislayes treatments proorded pursants to Section 184.0(0(1)) or 184.0(0(1)), the paperteent till resource outpitus and clinics for ESSDP services at a rese and the related supplies and equipment, as defined in 2 CFS 185.05.00 (1994). This tree will be mate receited in 2 CFS 185.05.00 pursant to 42 CFS 185.02.129 and 412.120 elebethed in 2 CFS 185.02.29
- - 4) Payment for paysician services relating to ESROT will be made separated to brystokans, pressure to 8111, Adm. COGE 140,100.
 5) With respect to those hospitals described in Section
- 314.255.01(3), the respect to those mospitals described in Section
 114.255.01(3), the responsement rates described in this
 subsection (c) shall be adjusted on a retrospective statistic state of collocated and a retrospective statistic state described in this subsection (s).

 A) The resourcement rates described in this subsection (s)
- Figure 1. 1992 record and the two most second minimal leading of the two control of two control of
 - B) The per diem cost of inpatient hospital services shall be calculated by dividing the total allowable Medicaid costs by the total allowable Medicaid days.
- Mith the exception of the retrospective rate adjustment described in subsection (c16) above, no year-end reconcilisation is made to the elabursement rates calculated under this subsection (c).
- 7) Hospitals described in Sections 148.25(b)(2)(A) and 148.25(b)(2)(B) shall be required to submit outputient cost reports to the Department within 90 days after the close of the focility's fiscal year.
 - d) Non Hospital Based Clinic Reimbursement

 1) County-Operated Cutpatient Facility Reimbursement
- ". County Operator University and Authorities (Principles of Operator (Politices) as described in Section (18.25(b)(2)(C), that do not qualify as Maternal and Child Section (18.25(b)(2)(C), that do not qualify as Maternal and Child Section (18.25(b)(2)(C), that do not qualify as Maternal and Child Section (18.25(b) (18.25(b))).
- rate basis as follows: A) Base Rate. The per encounter base rate shall be calculated

Adm. Code 140.461(f), shall be on an all-inclusive per encounter

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- Allowable direct costs shall be divided by the number of direct encounters to determine an allowable cost as follows:
- Medicare allowable overhead rate factor to calculate The resulting quotient, as calculated in subsection (d)(l)(A)(i) above, shall be multiplied by

per encounter delivered by direct staff.

- The resulting product, as calculated in subsection (d)(l)(A)(ii) above, shall be added to the resulting quotient, as calculated in subsection (d)(1)(A)(i) the overnead cost per encounter.
- The resulting sum, as calculated in subsection (d)(l)(A)(iii) above, shall be the per encounter base above to determine the per encounter base fate.
- rate.
- The supplemental service cost snall be divided by the Supplemental Sate 9
- total number of direct staff encounters to determine The supplemental service cost snall be multiplied by the direct supplemental service cost per encounter.
- allowable overnead rate factor to calculate the supplemental overnead cost per encounter. the
- shall be added to the product derived in subsection The quotient derived in subsection (d)(1)(B)(i) above, (d)(l)(B)(ii) above, to determine the per encounter
- The resulting sum, as described in subsection per encounter (d)(l)(B)(iii) above, shall be the supplemental rate. supplemental rate.
- encounter base rate, as described in subsection (d)(l)(A)(iv), shall be added to the per (d)(l)(B)(iv), to determine the per encounter final as described supplemental rate, per encounter rate. Final Rate The

2

- The resulting sum, as determined in subsection subsection (d)(l)(C)(ii) above, shall be adjusted in (d)(l)(C)(i) above, shall be the per encounter final iii) The ner encounter final rate, as described rate.
 - accordance with subsection (d)(2) below.
- Rate adjustments to the per encounter final rate, as described in Rate Adjustments
- The reimbursement rates described in subsections (d)(1)(A) through (d)(l)(C) of this Section shall be no less than the reimbursement rates in effect on June 1, 1992, except that this minimum shall be adjusted on the first day of July of subsection (d)(l)(C)(iii) above, shall be calculated as follows:

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inpatient hospital services as reported on the two of inpatient hospital services shall be calculated by most recent annual Medicaid cost reports. The per diem cost dividing the total allowable Medicald costs by the total each year by the annual percentage change in the per cost

- The per diem cost of inpatient hospital services shall be allowable Medicald days. 9
- 900 County-operated outpatient facilities, as described in Section 148.25(b)(2)(C), shall be required to submit cutpatient cost facility's fiscal year. No year-end reconciliation is made to calculated by dividing the total allowable Medicald costs by reports to the Department within 30 days after the close the total allowable Medicaid days. 3
- relating to client eligibility and scope of services available to those clients) which pertain to the service billed are applicable to encounter rate hospitals in the same manner as to which an encounter rate hospital or a county-operated outpatient facility is located. All specific client coverage policies Services are available to all clients in geographic areas hospitals reimbursed under the Ambulatory Care Program and hospital providers who bill and the reimbursement dalculated under this subsection (d). non-nospital and 7

(Source: Emergency amendment at 20 111, Reg. 9281 reimbursement on a fee-for-service basis.

, for a maximum of 150 days) JUL 1 1996

Section 148,160 Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million EMERGENCY

- In accordance with 89 Ill. Adm. Code 149.50(c)(8), county-owned hospitals in an Illinois county with a population greater than three million are excluded from the DRG PPS and are reimbursed in accordance Reimbursement Methodology with this Section. Base Year Costs (a) â
- and 31 months prior to the fiscal year for which rates are being set. hospitals' audited cost reports (see 42 CPR 447.260 and 447,265 (1982)) for nospital fiscal years ending between 20 The nospitals' base year operating costs shall 9
 - The nospitals' case year capital related costs shall be derived from the same audited cost reports used for operating costs subsection (b)(l) above. 5) 3
- The hospitals' base year direct medical education costs shall be for operating derived from the same audited cost reports used costs in subsection (b)(1) above.
 - The base year cost per diem shall be the sum of the operating 7

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diem, capital related cost per diem and

will be reimbursed the per diem rate calculated in subsection education cost per diem defined in subsections (b)(1) New hospitals, for which a base year cost report is not

Finance, Illinois Department of Public Aid, between the first and and added to the base year cost per diem, as described in subsection Adjustments to the tase year cost per diem, as described in subsection will be made to reflect restructuring since filing the The restructuring must have been mandated to .982) must be incurred as a result of mandated restructuring and identified from the most recent audited cost reports available before or during the rate year. The restructuring costs must be significant, i.e., on a per init basis; they must constitute one percent or more of the total allowable Medicare/Medicald unit costs for the same time period. The Department will use the most recent available audited If audited cost reports become available during the rate year, the reimbursement rate will be recalculated at that time to reflect restructuring cost adjustments. For audited reports received at the Office of Sealth fifteenth of the month, the effective date of the recalculated rate will be the first day of the following month. For audited reports received at the Finance Section between the sixteenth and last day of the month, the effective date will be the first day of the second month following the month the reports are received. Allowable restructuring costs are adjusted to account for inflation from the of the restructuring cost reporting year to the midpoint of year according to the index and methodology of Data (b)(4), which is subject to the inflation adjustment described in allowable Medicare Medicald costs (see 12 CFR Part 105, Subpart meet state, federal or local health and safety standards. Resources, Inc. (DRI), national hospital market basket price (b)(4) above and inflated in subsection (d)(1) below. cost reports to determine restructuring costs. Restructuring Adjustment base year cost reports. (b)(4) above, the base midpoint

Inflation Adjustment For Base Year Cost Report Inflator subsection (d) below. G

cost per diem, as defined in subsection (b)(4) above, snail be inflated from the midpoint of the nospitals' base year to the midpoint of the time period for which rates are being set (rate period) according to the historical rate of annual cost increases. The mistorical rate of annual cost increases small be subsection (b)(1) acove by the previous year's operating cost per Effective October 1, 1992, the final resmbursement rate shall be calculated by dividing the operating cost per diem as defined The pase year

no less than the reimbursement rate in effect on June 1, 1992; except that this minimum shall be adjusted each July 1 thereafter by the annual percentage change in the per diem cost of inpatient

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hospital services as reported in the most recent annual Medicaid cost reports. Review Procedure

The review procedure shall be in accordance with Section 148.310.

(e

DSH hospitals which are exempt from the DRG PPS, as described in subsection (a) above, shall be in accordance with Section The criteria and methodology for making applicable adjustments to Applicable inpatient Adjustments

The criteria and methodology for making applicable Medicaid Percentage Adjustments to hospitals which are exempt from the DRG 2)

percent that the hospital's Medicard inpacient utilization rate as described in Section 148.120(k)(5), exceeds 1.5 standard deviations above the mean Medicaid inpatient 148.120(k)(3) nultiplied by 3.75. This payment adjustment is based on a rate year 1993 base rate and shall be trended forward to the The payment adjustment shall be \$150 plus \$2 for each PPS as described in subsection (a) above is described below. utilization rate as defined in Section

The amount calculated pursuant to subsection (f)(2)(A) above shall be adjusted on October 1, 1995, and annually thereafter, by a percentage equal to the lesser of:

current rate year for inflationary increases.

The increase in the national hospital market basket price proxies (DRI) hospital cost index for the most recent 12 month period for which data are available:

over the previous year's statewide The percentage increase in the statewide average hospital payment rate, as described in average hospital payment rate. 148.120(k)(8)

be no less than the rate The per diem cost of ingatient hospital services adjusted on the first day of July of each year by the annual percentage change in the per diem cost of inpatient hospital services as reported on the two most recent Medicaid cost is calculated by dividing the total allowable Medicald costs calculated in accordance with Section 148.120(g)(2) effect on June 1, 1992, except that this minimum shall The amount calculated pursuant to subsections by the total allowable Medicaid days. through (f)(2)(B) above shall reports.

The amount calculated nursuant to subsection (f)(2) above shall be the Medicald percentage adjustment which shall be a per diem basis and shall be applied to each covered day of care provided. paid á

Section snall be eligible to receive a county provider Effective July 1, 1995, hospitals reimbursed under County Provider Statesh-Impacient Adjustment.

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Beginning with For-the-rate-year July 1, 1995, through June--907---1996, hospitals under this Section shall The methodology used to determine the add-on payment amount is as follows: erttteat-inpatient adjustment.

receive \$15,500 per Medicald inpatient admission in The payments made under this subsection shall be made the base period.

County Provider Statesak-Impatient Adjustment Definitions. on a cuarterly basis.

"Base Period" means State fiscal year 1994 for のなかなからのはーールのものからのからないのはないののない。一つのからのはからのは、一つののは、

the base period, Which were subsequently adjudicated by the Department through the last day of June, 1995 preceding-the-rate year-and-contained-within-the-Department-s-paid-nipsins data-base, for recipients of medical assistance under the Social Security Act, excluding admissions for normal newborns and Medicare, Medicaid "Medicaid Inpatient Admission" means c inpatient admissions provided during-State-fiscai-year-1996. ritle XIX

subsection (b)(4) above, as adjusted for restructuring, as described in subsection (c) above, and as adjusted for inflation, as described in subsection (d) above, and the sum of the diem payments as described in Section 148.120 and subsection July 1, 1992, and on the first day of July of each year reimbursed under this Section shall receive supplemental inpatient payments. Effective with admissions on or affect July 1, 1995, supplemental inpatient payments for hospitals reimbursed under this Section shall be calculated by multiplying the sum of the base year cost per diem, as described in calculated disproportionate share and Medicald percentage per (f)(2) above, by the hospitals' percentage of charges which are not reimbursed by a third party payer for the period of August 1, Effective July 1, 1995, the supplemental inpatient payments calculated under this subsection shall be no less than the supplemental inpatient rates in effect on June 1, 1992, except that this minimum shall be adjusted as of thereafter, by the annual percentage change in the per diem cost .npatient hospical services as reported in the most recent annual Medicaid cost reports. The per diem cost of inpatient hospital services is calculated by dividing the total allowable supplemental inpatient payment adjustment shall be paid on a per covered day of care Medicald cost by the total allowable Medicald days. diem basis and shall be applied to each 1991, through July 31, 1992. crossover days. Hoanitala 4

payment amounts for medically necessary adjustments to Outlier Adjustments Outlier

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WOLLCE OF EMERGENCY AMENDMENTS

Trauma center adjustments shall be made in inpatient hospital services involving exceptionally high costs for certain individuals shall be made in accordance with Section 148.130. accordance with Section 148.290(c). Trauma Center Adjustments.

9

- administered by the Department except the Family and Children Copayments are assessed under all medical programs as the General Assistance be assessed in accordance with Section Assistance Program, formerly xnown Program, and shall be assessed in Reductions to Total Payments Copayments.
- 2) Third Party Payments. The requirements of Section 148.290(f)(2) snall apply.

148.190.

- Prepayment and utilization review requirements shall be in accordance Prepayment and Utilization Review with Section 148.240.
 - be in accordance with Section Cost reporting requirements shall Cost Reporting Requirements 148.210. 2

(Source: Emergency amendment at 20 111. Reg. 9281 ., effective

Section 148.285 Excellence in Academic Medicine Payments

graduate medical education shall be made for inpatient admissions occurring on or after July 1, 1996, as follows: In accordance with House Bill 22, payments for certain hospitals providing

Subject to the availability of funds from the accounts within Medical Research and Develorment Fund as defined in Rouse Bill 22, including any federal financial participation reimpursed for payments under this subsection (a), payments shall be made to hospitals under the

Following criteria:

- Eacn Qualified Chicago Metropolitan Statistical Area Academic available from the National Institutes of Bealth Account, equal to that contested and sense from the Matchail Institutes of Bealth avaited to Daillide Chicago Matchail Institutes of Bealth avaited to Daillide Chicago Metropolican Statistical Area Academic Medical Center Medical Center Scspital shall receive a percentage of the amount
 - Hospitals and their affillated redical schools during preceding calendar year as reported to the Department. Sach Qualified Chicago Merropolitan Sharrernal am 57
- Rach Qualified Chicago Mercopolican Statestical Area Academic Medical Center Hospiral shall receive payment from the funded grants (other than grants funded by the State of Illinois or the National Institutes of Health) for clomedical research, rechnology, or programmatic development received by the Qualified Chicajo Metropolitan Statistical, Area Academic Medical Center Philanthropic Medical Research Account equal to 25 percent of all

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NOTICE OF EMERGENCY AMENDMENTS Byt any funds due to any primary reaching hospital

Rach Qualified Chicago Metropolitan statestrees the Market Medical Center dospital shall receive payment from the Market Medical Research Account equal to 20 percent of the funding Cop the project, if, based upon submission of information to the

Epspital during the preceding calendar year as reported to

NOTICE OF SMERGENCY AMENDMENTS

DEPARTMENT OF PUBLIC AID

Department, the Cospositeir of the "unding, that is at least A) contributes 10 percent of the "unding, that is at least \$10,000, for a binnedical research or technology project of the contribute and according to the contribute of the contribute o

a _rogrammatic 3evelonment broject, and
obtains contributions from the crivate sector equal to 40
percent of the _inding_for the project.

No mentical acceptance agencies (con in well-second consideration and providerate acceptance) of control and acceptance acceptance

1) One-sixto of the total amount wailable for distribution from the Northal Research and Development Wailable for distribution from the 2) The quotient of the National Institutes of Health grants or

Concretes Australes on the National Listiestes of Realth parents of Medicines and Sources of Medicines and Sources of Medicines and Sources of Medicines of Medicines and Sources of Medicines of Medici

financial participation made to Qualified Academic Medical Center Hospitals for up to three Programs in any given year as reported to the Department. unding for previously funded Qualified Programs rather than receive not exceed three. Each hospital receiving Subject to the availability of funds from the Post-Tertiary Clinical Qualified Academic Medical Center Hospitals may receive continued the Post-Tertiary Clinical Services Fund to be used in the funding of dayments under this subsection snall receive an equal percentage payments under this subsection (d), payments shall unding for a new program so long as the number of Qualified fund, including any federal teaching nospirals in Springfield. ತಿಂದಿ reimpursed Services Dat : Fred 司

Qualified Programs.

Reparent Size Low Lord under this Section are made to cover the Reparent Communication of the Securities and shall be made directly to the Academic Medical Center Bospitals due the finds.

6

except any funds due to any primary teaching hospital for the University of University of Unitions as Revietd and the University of Ullinois at Pecific Pecific Shall be paid to the University of Illinois Rospital, which shall be bound to expend the funds on Its affiliated Hospitals due the

No Academic Medical Series Enoptical Shall be eligible for serments for the Medical Series and servicement broad mules in the Academic Medical Content Medical Content Medical Content of the Series S

12 monetal period for convented under this Section shall be made for the large and the sected section to large 1.395. A equilibrium comparate is took annual parments from each fund and promum described in this Section built be introduced into charge and a parmet and on each on the Section in the Siffeetin victure last advantages and on each or the last off in the Siffeetin victure last after this is one of the control of the control

2) the differenth working day after the Department's receipt of repartment's receipt of repartment's section and the section are dot inpartent. Nedload services favored and a services

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in Recorded in the 2. The Rectified Development are settled.

In Rospitals into ally described Development as qualification under any parmet cause of the Section mass completes and settline survey. Assets the Section mass completes and settline and survey as clearly development, assets on the control of the control of the section. The describes and survey as clearly development, assets of the date. Intitude to complete and submit required information by the due date. Intitude to complete and submit required information by the due dates sessibilished by the Department will result in force there of payments under this section.

As used in this Section, unless the context requires otherwise:

1) "Addedning Medical Centers Integratal means a both Lat Lillings androi settler ander common consecting with an college of medicine of a college or minestion, or a free-standing possibila in which the agents of the climinal confess as are department challeng in a stillated and settles service are department challeng in a stillated and settles school.

2) "Acceleration (Medical Acceleration Mights") Rospitals, which is adparently information of monthlesseed into the Acceleration Mights and monthlesseed into the Acceleration Acceleration and the adjacent particular of an incident of medical Control Medical Control Medical Acceleration as a time addition of acceleration Medical Acceleration Control Medical Acceleration Medical Acceler

NOTICE OF EMERGENCY AMENDMENTS

- "Chicago Metropolitan Statistical Area Academic Medical Center HOSpital" means an Academic Medical Center Hospital located in the Chicago Merropolitan Statistical Area. Hospital ಷ
- "Non-Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means an Academic Medical Center Hospital located outside the Chicago Metropolitan Statistical Area. 4
- "Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means any Chicado Metropolitan Statistical Area Academic Medical Center Hospital that either directly or in connection with its affiliated medical school receives in excess of 58,030,000 in grants or contracts from the National Institutes of Health during the calendar year preceding the beginning of the State fiscal year, except for the purposes of subsection (c) of this Sect 3
- Area Academic Medical Senser Hospital" means the primary teaching hospital of primery leadhing nospital for the University of Illinois School of Medicine at Sockfood and the primery reaching nospitals for Southern Illinois University School of Medicine in Sprinkleid. the University of Illinois School of Medicine at Peorla, Metropolitan Statistical "Qualified Non-Chicago 6
- "Qualified Academic Medical Center Hospital" means a Qualified Chicago Metropoliten Statistical Area Academic Medical Center Mospital a Qualified Mon-Chicago Metropolitan Statistical Area Academic Medical Center Academic Postistical Area Academic Medical Center Coppital or an Academic Medical Center Children's Hospital.
- "Qualified Program" includes: 8
- Cancer: particularly biologic modifiers of tumor response, heart and lung, in particular, Phoracic transplantation: 원원
- Shock/Burn: Sevelorment of biological alternatives to skin <u>Spor restains</u> in burn labury, and research in mechanisms of shock and issue minury in severe inview. and mechanisms of drug resistance in cancer therapy, d
 - Abdominal transplantation: kidney, liver, cancreas, and development of isiet cell and small bowel transplantation 히
- Laparoscopic particularly nvasive surgery: 'Alabans finimal (ii)
- a laser creates nedical

telemedicine

comput; ng:

performance

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- Pet scanning: viewing how organs function (CT and MRI only Transmyogardial laser revascularization: a la holes in heart muscles to allow new blood flow, ভা E
 - allow viewing of the structure of an organ),

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NOTICE OF EMERGENCY AMENDMENTS

Strokes in

- risk factors for cerebral vascular accident (strckes) in the African-American community at much higher risk than the particularly interventional the African-American community: uo Neurosurgery: particularly focusing general population,
 - Comprehensive eve center: including further development neuroradiology, 2
 - Cancers: particularly melanoma, head and neck, Dediatric eve trauma, Pediatric cancer,
- of solid Pediatric organ transplantation: transplantation Organs and marrow and other stem ceils Invasive pediatric cardiology, and 괴된질의
- Emergency amendment at 20 III. Reg. 928 (Source:

OTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Long Term Care Reimbursement Changes
-) Code Citation: 89 Ill. Adm. Code 153
- 3) Section Numbers: Emergency Action: 153.100 Amendment 153.125 New Section
- Statutory Authority: Section 12-13 of the Illinois Public Aid Code (305 IECS 5,12-13)
- Effective Date of Amendments: July 1, 1996
- if these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable
- 7) Date Filed in Agency's Principal Office: July 1, 1996
- 8) Reason_Cor_Impresentation of the descent of the descent of the descent of the descent of the State is used in 1997 made; than find the ancreasen to the State's budger by the destates, increasing the state of the State is specifically authorized for the uppearance of the State's budger initiatives (or fiscal year 1997 by Public Act 99-199.
 - amendments are necessary to implement the State's fiscal year 1997 budget plan. For services provided from July 1, 1996, through December 31, 1996, the Department will continue reimbursement levels which were in effect on July 1, 1995, with no update for inflation for nursing facilities and intermediate care facilities for persons with developmental disabilities. For services provided on or after January 1, 1997, the rates in effect on or after July 1, 1996, rates will be increased by three percent. Additionally, for services provided on or after July 1, 1996, long term Complete Description of the Subjects and Issues Involved: These emergency July 1, 1996, including nursing facility rates paid for exceptional care, will be increased by 6.8 percent. For day training services provided on care facilities which are located in an area which has changed geographic designation due to unique labor force factors shall have rates recalculated based upon the cellings and norms of the newly designated geographic area. Related amendments are being filled in 89 Ill. Adm. Code These changes are expected to result in an increase in annual aggregate expenditures of approximately \$48.1 million. The anticipated increase in spending for facilities and day training is \$36.9 million; 140 regarding these geographic designation changes. million; classification changes, SISS,000. training, Eacilities and day 6
- 0) Are there any Proposed Amendments pending to this Part? No

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DEPARTMENT OF PUBLIC AID NOTICE OF EMERGENCY AMENEMENTS

- Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.
- 12) <u>Information and guestions regarding these Emergency Amendments, shall be</u> directed to:

Joanne Jones
Bureau of Ribes and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-0081

The full text of the Emergency Amendments begins on the next page:

NOTICE OF EMERGENCY AMENDMENTS

SUBCHAPTER e: GENERAL TIME-LIMITED CHANGES CHAPTER I: DEPARTMENT OF PUBLIC AID TITLE 89: SOCIAL SERVICES

LONG TERM CARE REIMBURSEMENT CHANGES PART 153

Reimbursement for Long Term Care Services SMERGENCY 153,100

Long Term Care Facility Rate Addustment Quality Assurance Review (Repealed) 153.125 EMERGENCY

AUTHORITY: Implementing and authorized by Articles III, IV, V, and VI and Section 12-13 of the Illinois Public Aid Code (305 IICS 5/Arts. III, IV, V, and 71 and 12-13) and implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art, III], OGUNECE: Emergency tiles adopted at 18 III. Reg. 2159, effective lanuary 19, 1994, for maximum of 150 days adopted at 18 III. Reg. 11154, effective lune 10 to 1994, for maximum of 150 days adopted at 28 III. Reg. 1180, effective lung, i. 1394, i. 1994; for a maximum of 150 days; amended at 18 ill. Reg. 16669, effective November 1, 1994; emergency amendment at 19 ill. Reg. 10245, effective June 30, 1395, for a maximum of 150 days; amended at 19 Ill. 999 0 65281, effective November 27, , effective July 1, 1996, or a maximum of 150 days.

Section 153.100 Reimbursement for Long Term Care Services

- Notwithstanding the provisions set forth in 89 Ill. Adm. Code Li0, 144 and 147 for reimbursement of long term care services, effective January 18, 1994, reimbursement rates for long term care facilities (SNF/ICF and ICF/MR) and day training providers will remain at the levels in effect on January 18, 1994, except as otherwise provided
- The --results --of--Frapection--of-Sare-4706}-surveys-for-which-bhe-exit conference-ts-completed-prior-co-danuscy-t8-1-b9-4-4-kkt-ce-crocesed **の出来なるとはのなっしましたのから、日本ののののできななななななななななななない。まないないのなっていない。まないないのできないのできないのできないのできない。** †q

this Section.

- adjusted based on final audits of cost report data in accordance with blet Capital and support rates in effect on January 18, 1994, will other-surveys-ser-forth-in-chies-Secarem
 - c)d) Capital rates will be increased for major capital improvements accordance with 89 Ill. Adm. Code 140.560(c) and (e). 89 Ill. Adm. Code 140.582(b) and 140.590.

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NOTICE OF EMERGENCY AMENDMENTS

- Ill. Adm. Code 140.560(b) will have rates recalculated based upon d)et New facilities which are assigned median rates in accordance with 89 receipt of their first cost report and first IOC survey.
 - Retestings with the section of the then-98-days-precento-and-not---atem---then---cancary----8y----994-----*Brest*B-HOG-regreer-Haset-hast-hast-haset-haset-haset-on-bad-document-on-the supports--ore--of--rhe--criteeris--sec--forth--in--99--Ett---adm---60de
- Regineste - からかー・からかをなれる一からのなってものをなるね。このならななが、いのかはないない。
 - there has been a change in the Medicaid census since the last IOC survey in accordance with 89 Ill. Adm. Code 147.150(d), except that the requirement the request must be made within 180 days after the last IOC, need not be met. The written request must contain e)by Interim IOCs may be conducted, at the Eactlity's written request, documentation supporting the change in Medicaid census.
- Elty The Department reserves the right to initiate inverim IOC surveys, if necessary, based upon a significant reduction in the level of resident
- g) # Any rate adjustments that result from an interim foc conducted index this Section will nave an effective date of the first day of the month care or for the nealth and safery concerns of residents. following the exit date of the interim IOC.
- n) 14 Requests for IOCs upon which rate determinations are based upon a operated Medicald resident being transferred from a State developmentally disabled facility to a community setting considered on a case-by-case basis.
- Betteether with the same of th Piscal--year--1996--support--rates--may-change-tased-on-the-first-cost regort-fried-by-nex-banership-refilesting-skanship-nexoxnessnip-s--operst-cn---for--any---factiter--xnic---cnanged--oxnessnip 1487568-and-1487562---Support-races-for-races-for-races-which-quartfy-under | 1995年|| 1 1.成のおりもの一のおといしかの一十四十一にりかりものの方方の
- TOSE-though Bose-theofth 4gg 4世かれた 430000 520000 52000 74801 11994-1907 1097 1087 1087 他的时间,我们也是第一名中一或的第一中的女子,我们的一个女孩子一名,我们一个女孩子的女子,我们也没有一个女子,他们们一个女孩子,一个女女女女人 小田
- 100 if a non-profit facility changes ownership on or after July 1, 1995,

NOTICE OF EMERGENCY AMENDMENTS

and the mew connection in Corproport in Contillity, the ceal estate tax component will be added to the optial rate effective with the component will be added to the optial rate effective to the public Bealth. The real estate tax component will be added at the ESA section tax rate and effect for the month in which the real estate tax sections.

OF POTTONS - NOT POTALLY (ACTIVATION - CHARACTURE - 1994 - CADA -

and it a Composite facility changes consensity on on start lifty, its seal sease tax component will be senowed from the equal, acts effective with the deeper of change in ownership as seconness by the lilinois operaction of pairs of change in ownership as seconness by the lilinois operaction of pairs of the change of the c

More Passes my chones have done vertication of the delivery or mon-delivery of perpendictic remainlanton services to individuals verticated library establishment desiration in the facility meeting all criteria propriation retroices program eximpations, which meeting all criteria specified in 69 III. Adm. Code 177306 ordoogn 147336.

1) Py An add-on of S.10 per resident day will be paid for emergency dental errores, such direct gain in the "early, quies or galates rocken or otherwise shamaged teeth, or any other proclem of the oral cutting or pather any other proclem of the oral cutting. A perception of the oral cutting or appropriately treated by a dentist, that requires immediate extention.

Day training provider rates shall be increased by three percent for services provided on or after July 1,1996.
 Services provided on or after July 1,1996.
 DECECTION FOR SERVICES PROVIDED.

Effective Colemples Developed on on after Dight, 1986, Sectities of the Colemple of the Colemp

(Source: Emergency amendment at 20 Ill. Reg.
L, 1996, for a maximum of 150 days).

, effective July

Section 153.125 Long Term Care Facility Rate Adjustment

Moratistanding the provisions set forth in 153,100, long term care facility LENTICE and LOTW Late seasablished on July 1, 1996, shall be increased by S.B Percent for services provided on or after January 1, 1997.

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NOTICE OF EMERGENCY AMENDMENTS

(Source: Emergency rule added at 20 III. Reg. 930.6., effective July 1, 1996, for a maximum of 150 days)

NOTICE OF EMERGENCY AMENDMENTS

- Heading of the Part: Medical Payment
- Emergency Action: Amendment Amendment Amendment Code Citation: 89 Ill. Adm. Code 140 Section Numbers: 40.555 40.84
- Section 12-13 of the Illinois Public Aid Code (305 Amendment Statutory Authority: 7

Amendment Amendment

40.561

- Effective Date of Amendments: July 1, 1996
- If these Emergency Amendments are to expire before the end of the 153-day period, please specify the date on which it is to expire: Not Applicable (9
- Date Filed in Agency's Principal Office: July 1, 1996
- These emergency amendments are being filed pursuant the Governor's fiscal year 1997 budget plan and the enactment of the is specifically the implementation of the State's budget initiatives for State's budget by the Legislature. Emergency rulemaking fiscal year 1997 by Public Act 89-499. Reason for Emergency: for authorized
- amendments concerning several of the Department's reimbursement methodologies for services under the Medical Assistance Program are being Complete Description of the Subjects and Issues Involved: These emergency filed in conjunction with the State's budget plan for fiscal year 1997. 6

assessment imposed upon each hospital provider by an amount equal to in Section 140.80, the amendments allow for a reduction in the annual assessment imposed during fiscal year These changes are being made in response to concerns expressed by New appropriations to the General Sevenue Nund will be utilized to provide full hospital funding. approximately one-fourth of the providers of hospital services.

licensing regulations of the Illinois Department of Public Health. Because in Section 140.84, changes are being made regarding State facilities under, the authority of the Illinois Department of to define such entities as facilities which are subject to one nursing nome of this, Section 140.84 is being amended to specifically exclude veteran's that are not State operated. These amendments are not expected to result The Nursing Home Care Act has been amended facilities from assessments imposed upon nursing facilities Veteran's Affairs. operated by, or

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WOTICE OF EMERGENCY AMENDMENTS DEPARTMENT OF PUBLIC AID

oudgetary changes.

These Adm. Code 153,125 that provide for a reimbursement increase of 6.8 percent of the Department's geographic classification methodology is of HSAs into geographic areas in order to effectively redufine 1996. These amendments are expected to result in additional spending in the amount of approximately \$155,000. This amount is included in the rate Emergency revisions to Sections 140.555, 140.560, 140.561 and 140.578 changes are being made in conjunction with related amendments to 89 Ill. 1397 boundaries used in the rate setting base for rates established July ennancement estimate for long term care facilities that is expected increase annual aggregate expenditures by approximately 548.1 million. necessary to implement this rate increase. The amendments address for long term care facilities, effective on or after January 1, change the term "Health Service Area (HSA)" to "deographic area". Modification alignment

Are there any Proposed Amendments pending to this Part?

- These emergency amendments do Statement of Statewide Policy Objectives: not affect units of local government.
- Information and questions regarding these Emergency Amendments snall directed to: 12)

Joanne Jones Name: Address:

100 South Grand Avenue East, Third Floor Illinois Department of Public Aid Bureau of Rules and Regulations Springfield, Illinois The full text of the Emergency Amendments begins on the next page:

(217) 524-0081

Telephone:

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CHAPTER :: DEPARTMENT OF PUBLIC AID SUBCHAPTER d: MEDICAL PROGRAMS TITLE 89: SOCIAL SERVICES

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Covered Medical Services Under AFDC-MANG for non-pregnant persons who Services Under Medical Assistance Programs Medical Assistance Programs ncorporation By Reference Covered Section 140.1 140.3 140.4

Assistance Provided to Individuals Under the Age of Eignteen Medical Services Under General Assistance Medical Services Not Covered Medical

are 18 jears of age or older (Repealed)

140.5 140.7 140.9

for AFDC. AFDC-MANG if the Child Were Already Would Not Medical Assistance For Qualified Severely Impaired Individuals Who Do Not Qualify for AFDC and Children Under age Sight Nho Assistance for a Prechant Woman Categorically Eligible Medical 140.8

Medical Assistance Provided to Incarcerated Persons MEDICAL PROVIDER PARTICIPATION SUBPART B:

Born Or Who Do Not Qualify As Mandatory Categorically Needy

Enrollment Conditions for Medical Providers

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Denial of Application to Participate in the Medical Assistance Participation Requirements for Medical Providers Definitions

Permination or Suspension of a Vendor's Eligibility to Participate in Recovery of Money Program

of a Vendor's Eligibility to Participate in the Medical Effect of Termination on Individuals Associated with Vendor the Medical Assistance Program Assistance Program Suspension 140.17 140.18

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Permission Publication of List of Terminated, Suspended or Barred Entities Participation, and Special False Reporting and Other Fraudulent Activities Prior Approval for Medical Services or Items Record Requirements for Medical Providers Assignment of Vendor Payments Emercency Services Audirs uc Participation Prohibition 40.30 40.32 40.33 40.35 40.40

Post Approval for Items or Services When Prior Approval Cannot Recipient Eligibility Verification (REV) System Prior Approval in Cases of Emergency Limitation on Prior Approval Obtained 140.41 40.55

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Developmentally Disabled Care Provider Fund Long Term Care Provider Fund EMERGENCY 140.82 EMERGENCY 140.84

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Limitation On Hospital Services (Recodified) Hospital Services Not Covered (Recodified) Covered Hospital Services (Recodified) General Requirements (Recodified) Special Requirements (Recodified) 140.100 40.98 40.99 40.96 40.37

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Transplants (Recodified)

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Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Secting (Recodified)

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Rate Calculation (Recodified) Volume Adjustment . Repealed) Groupings Recodified)

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Alcoholism and Substance Abuse Services Services Payment for Subscute Alcoholism and Substance Abuse Definitions (Recodified) Subacute (Recodified) Sadal 10.391 140,394

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Rate Appeals for Subacute Alcoholism and Substance Abuse Services Hearings (Recodified), (Recodified) (Recodified)

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Payment to Practitioners, Nurses and Laboratories Covered Services By Physicians Physicians' Services 140.411

and Prescribtions Services Not Covered By Physicians Optometric Services and Materials Limitation on Physician Services Items - Physicians Requirements 40.414 140,416 140,417

Pharmacv

J.C

Dispensing

Department of Corrections Laboratory Limitations on Optometric Services Limitations on Dental Services Dental Services 40.420 40,418

Requirements for Prescriptions and Dispensing Items of Limitations on Podiatry Services Podiatry Services tems - Dentists

140.426

.40.425

ψÖ Dispensing Prescriptions and for Requirement

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0.428	Chiropractic Services
0.429	Limitations on Chiropractic Services (Repeale
0.430	nt Laboratory Services
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Prior Approval of Prescribtions Limitations on Nurse Services Pharmacy Services Not Covered Pharmacy Services 140.436 40.440 40,441 140.442

Legend Prescription Irems (Not Compounded) Filling of Prescriptions Compounded Prescriptions Over-the-Counter Items 140.444 40,443

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Healthy Moms/Healthy Kids Managed Care Clinics (Repealed) Speech and Hearing Clinics (Repealed) Covered Services in Clinics Clinic Service Payment 40.462 10.163 10,164 40.465

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Medical Equipment, Supplies and Prosthetic Devices for Which Payment Medical Equipment, Supplies and Prosthetic Devices Prior Approval for Home Health Services Payment for Nome Health Services 40.473

> Pharmacv Pharmacy

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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (20 LGCS 2215/Art. III) and implementing and authorized by Articles III, IV, V, and Section 12-13 of the Illinois Public Aid Code (305 LICS 5/Arts. III, IV).

emergency amendment at 6 111. Reg. 3508, effective July 5, 1982, for a maximum of 150 Jays: amended at 7 111. Reg. 681, effective December 30, 1982; amended at 7 III. Reg. 7956, effective Uniy 1, 1983; amended at 7 III. Reg. 8308, effective July 1, 1983; amended at 7 III. Reg. 8271, effective July 5, 1983; res.g. 150 days; amended at 7 III. Reg. 3540; effective July 15, 1983; amended at 7 III. Reg. 12865; 118 Reg. 9382; effective July 22, 1983; amended at 7 III. Reg. 12865; SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8371, affective July 6, 1982; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum effective September 20, 1983; peremptory amendment at 7 III. Reg. 15047, effective October 31, 1983; amended at 7 III. Reg. 17358, effective December 21. 1353; numried 18. 5 111. Neg. 251, effective becember 21, 1943; one segency amendaers in 8 1111 Reg. 250; effective bloncatt, 1954, for a maximum of 150 days, coditied at 8 111. Neg. 243; namided at 8 111. Neg. 243; namided at 8 111. Neg. 243; namided at 9 111. Neg. 243; namided at 9 111. Neg. 243; namided at 9 112. Neg. 243; namided at 9 113. Neg. 243; namide Rebruary 22, 1984; amended at 8 III. Reg. 5262, effective April 9, 1984; amended at 8 III. Reg. 6785, effective April 27, 1984; amended at 8 III. Reg. 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 111. Reg. 7910, efféctive June 1, 1991; amended at 8 111. Reg. 10032, effective June 18, 1984; amergancy amendment at 8 Code L41 at 8 Ill. Reg. 16354; amended (by adding sections being codified with 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 11. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 3 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 secodified to 89 Ill. Adm. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, 1984: peremptory amendment at 8 Ill. Reg. 21677, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, no substantive change) at 9 Ill. Reg. effective October 19,

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Reg. 5235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May Reg. 11357, effective Unne 18, septimented at 911. Reg. 1235, effective Angust 5, 1295; namended July 24, 12965; namended at 911. Reg. 1235, effective Angust 1835, namended at 911. Reg. at 9 III. Reg. 13398, effective September 2, 1285; amended at 9 III. Peg. 14684, effective September 13, 1285; amended at 9 III. Reg. 15503, effective amendment at 10 III. Reg. 8912. effective May 13, 1986, for a maximum of 160 days; amended at 10 III. Reg. 11440, effective June 20, 1996; amended at 10 Lis, 1986, amended at 1111. Reg. 659, effective December 13, 1986; amended at 11111. Reg. 1213, effective December 11, 1986, amended at 1111. Reg. 2723, effective Sanuty 16, 1987; amended at 1111. Reg. 2723, effective December 11, 1989, 4002, effective Seguraty at 8 Ill. Reg. 23721, effective Movember 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1981; emergency amendment amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. 28, 1985; amended at 9 Ill. Reg. 3564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; smergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 5981, effective April 16, 1986; amended at 10 111. Reg. 1825, effective April 30, 1986; amended at 10 111. Reg. 8128, effective May 7, 1986; emergency III. Reg. 1471, effective August 77, 1986; amended at 10 III. 7eg. 15211, effective September 12, 1986; emergency amendment at 10 III. Reg. 15729, 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303; effective March 6, 1987; amenced at 11 Ill. Reg.7664, effective April 15, 1987; emergency amendment at 11 111. Reg. 9342, 9169, effective April 28, 1987; amended at 11 111, Req. 13903, effective June 1, 1987; amended at 11 111, Req. 11529, effective June 22, 1987; amended at 11 1111. Reg., 12011. effective line 19. 1387; ascended at 11.111. Reg. 12390. effective line 19. 1211. Reg. 12190. effective line 19. 1211. Reg. 11.111. Reg. 11 effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October III. R89, 517, effective March 15, 1988; amended at 12 III. Reg. 5146, effective March 16, 1988; amended at 12 III. Reg. 5738, effective March 22, 1988; Sections 140,900 thru 140,912 and 40,280le # and 40,030le i recondi at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1388, for a maximum of 150 days; amended at effective September 18, 1986, for a maximum of 150 days; amended at 10 111. Reg. 16758, effective September 28, 1987; amended at 11 111. Reg. at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of effective April 20, 1987, for a maximum of 150 days; amended at 11 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, Red.

20 89 III. Adm. Code 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 III. Adm. Code 147.Table B at 12 III. Reg. 6595, affective April 5. 1989. Sections (10.18 Per 6795) at 129.5 at 12 III. Reg. 6795, at 139.5 thru 149.355 at 12. nil, Rep. 7010; menched at 12 111. Rec. 1555, effective April 21, 1988, amended at 12 111. Rep. 10197, effective bure 13, 1988, amended at 12 111. Rep. 10197, effective bure 14, 1988, amengency amendment at 12 111. Rep. 11886, effective at 1998, for a maximum of 150 orays; amended at 12 111. Rep. 11886, amended at 12 111. Rep. 12009, amended at 12 111. Rep. 12009, amended at 12 111. Rep. 12009, amended at 12 111. Rep. 12019, amended at 12 111.

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22 [32] Cor a marrine of [5] Open amended at [11], Sep. (17) Core amended at [5] Core Macro 6 1997 amended 11.8 [11] Rep. 5109 effective Macro 7.9371 sented at a 15 [11] Macro 6409. Action 12.9 [13] mended at 15 [11] Macro 13.0 [13] Macro 13.0 January 19, 1991; Section 10, 1999, Stiffer and N 15, 111, Req. 1111; Industrial Res. 1991; Section 10, 1992; Stiffer and Res. 1991; Section 10, 1991; Secti effective July 1, 1993, for a maximum of 130 days; sneegency amendment at 17 miles, 1816, effective September 2, 1893, for a maximum of 150 days; andergency amendment at 17 fill, Reg. 1812, effective October 1, 1993, for a 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Req. 18508, effective October 30, 1990; amended at 14 Ill. Req. 18813, effective November 6, 1990; Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emercency amendment at 15 Ill. Req. 592, effective January ., 1991, for a maximum of 150 days; amended at 15 111. Req. 1051, effective lays; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992: emergency amendment at 15 Ill. Reg. 16366, effective October 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days: emergency amendment at 16 III. Reg. 15109, effective September 11, 1992, for a mentamen of 130 days; amended at 16 III. Reg. 1551, effective September 30, 1992; amended at 16 III. Reg. 17302, effective November 2, 1992; a mentgenty amendment at 16 III. Reg. 18097, effective November 17, 1992, for a maximum of 180 days; amended at 16 III. Reg. 19146, effective December 1, 1992; amended at Ill. Reg. 7004, effective May 17, 1993; expedited correction at 17 Ill. Reg. '078, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 11201, amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill.

effective Pechagy 75 i 1895 amended at 11 ill. 80, 1331, effective Warch 6, 1999, amended at 13 ill. 869, 3317, effective March 17, 1999 amended at 13 ill. 869, 3317, effective March 11, 1999, amended at 13 ill. 869, 2325, effective April 10, 1999, amended at 13 ill. 869, 2325, effective April 10, 1999, amended at 13 ill. 869, 2325, effective April 22, 1999, 860, 232, effective April 22, 1999, 1990, 232, effective April 22, 1999, 1990, 232, effective April 22, 1999, 1990, 232, effective April 22, 1990, 1990, 2

11. Req. 18198, effective November 4, 1988; amended at 12 Ill. Req. 19396, affective November 6, 1988; amended at 12 Ill. Req. 19734, effective November 15, 1988; amended at 13 III. Reg. 125, effective January 1, 1989; amended at 13 III. Reg. 3069, III. Reg. 2475, effective February 14, 1989; amended at 13 III. Reg. 3069,

1988; emergency amendment at 12 111. Reg. 16321, effective September 28, 1988; for a maximum of 150 days; amended at 12 111. Reg. 16738, effective October 5; 988; amended at 12 Ill. Reg. 17379, effective October 24, 1988; amended at 12 148-190 at 13 III. Reg. 95727 emergency amendment at 13 III. Reg 10977, 28. Forcite July II. 1999 for a maximum of 50 days integrory to your because the second at 13 III. Reg. 11816 of 50 days integrory 1999 panet day to 30 days integrory t Add. Reg. 1219. #feetures high 7. 1859. Section 100.100 feetofield to 9 111.

**Code 1861.00 et 13 121. Reg. 1210.9 section 1211. Reg. 12167.

Efective July 77. 1999. *mented at 13 111. Reg. 1210.1 section 1231. ***feeture 1210.0 section 1210

989; Sections 140.94 thru 140.398 recodified to 89 Ill. adm. Code 148.10

III. Rep. 2564, effective Protecty 9, 1990; margarony mandament at 14 III. Rep. 1804, defective Pablaudy 14, 1390, for a maximum of 150 days; energony expited by 14, 1990; manched at 12 III. Rep. 4577, effective Maxch 57, 1990 margarony and at 14 III. Rep. 4577, effective Maxch 67, 1990, for a

naximum of 150 days; emergency expired August 3, 1990; emergency amendment at

or a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, .989; amended at 14 Ill. Reg. 190, offective December 21, 1989; amended at 14 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June

19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990; for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 5, 1990; emergency amendment at 14 Ill. Reg. 14184; effective August 16, 1990, for August 22, 1990, for a maximum of 150 days; amended at 14 IIL. Reg. 14826, effective August 31, 1990; amended at 14 IIl. Reg. 15366, effective September

a maximum of 150 days; emergency amendment at L4 Ill. Reg.

14570, effective

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emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment Req. 3629, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective amendment at 18 Ill. Reg. 1992, effective July 1, 1994, for a maximum of 150 amendment repealed at 19 III. Reg. 5819, effective April 4, 1995; immended at 18 III. Sep. 11126, defective April 4, 1994; amended at 18 III. Reg. 11126, defective April 29, 1394; amended at 18 III. Reg. 15675, effective Norember 1, 1994; amended at 18 III. Reg. 15675, effective Norember 1, 1994; amended at 18 III. Reg. 15059, effective December 19, 1394; amended at 18 effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effect: e March 1, 1995, for a maximum of 150 days; amended at 19 III. Reg. 5663, effective April 1, 1995; amended at 19 III. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Req. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency days; smergency amendment suspended, effective November 15, 1994; emergency III. Reg. 1982, effective January 20, 1995; amended at 19 III. Reg. 2933, July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, 29, 1995; emergency amendment at 19 ILL. Reg. 14833, effective October 6, 1995, 1995; amended at 19 III. Reg. 19892, effective November 6, 1995; amended at 19 effective December 29, 1995; amended at 20 III. Reg. 4145, effective March 4, 1996; amended at 20 III. 895. for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective May 6, 1996; amended ab 30 LTB. Reg. 7922, effective May 31, emergency amendment at 20 Ill. Reg. 9 LTB. reg. 9 LTB. , effective July 1, 1996, maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, maximum of 150 days; amended at 20 Ill. Reg.

SUBPART C: PROVIDER ASSESSMENTS

Section 140.80 Hospital Provider Fund

- a)
- The Hospital Provider Pund ("Fund") was created in the State Treasury upon enacraent of Public Act 87-861, Public Act 88-88, and Public has 1914 and Public Act 94-99. Interest earned by and Public has 94-99. The reset earned by the Bund shall be credited to the Fund. The Fund snall not be used to replace any funds appropriated to the Medicald program by Purpose and Contents
 - The Fund is created for the purpose of receiving and disbursing monies in accordance with this Section and Public Act 87-861, as amended by Public Act 88-88, and Public Act 89-21 and Public Act the General Assembly.

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89-499.

- A) All monies collected or received by the Department under subsection (b) below: The Fund shall consist of:
- All federal matching funds received by the Department as a result of expenditures made by the Department that are attributable to monies deposited in the Fund;
- interest or penalty levied in conjunction with the administration of the Funds
- All other monies received for the Fund from any other All montes transferred from the Hospital Services Trust source, including interest earned thereon;
 - All monies transferred from the Tobacco Products Tax Act. Fund; and
- ±997, an annual assessment is imposed upon each hospital provider in an amount equal 1997, an assessment is imposed in an amount equal to three-fourns of the Provider's adjusted gross hospital revenue for calendar year 1995 subsection (1)(1) of this Section, for the most recent calendar year ending cefore the beginning of that fiscal year, multiplied by a Provider's Savings Rate. <u>Effective July 1</u>, 1996, through March 31, to the provider's adjusted gross hospital revenue, as described Effective July 1, 1994, through June 30, 1996 Provider Assessments
- multiplied by the Provider's Savings Rare.
 1) Effective July 1, 1394, through June 30, 1995, the Provider's Savings Rate is optained by multiplying 1.88 percent by a
- denominator of which equals the Maximum Section 5-2 Contribution Contribution minus the Cigarette Tax Contribution, and Maximum Section (see subsections (1)(2), (8) and (10) of this Section). fraction, the numerator of which is the
- Effective July 1, 1995, through March 31 June -- 38, 1997, the Provider's Savings Rate is obtained by multiplying 1.25 percent by the fraction described in subsection (b)(1) above.
- The Department shall notify hospital providers of the Provider's Savings Rate by mailing a notice to each provider's last known The Department reserves the right to audit the reported address as reflected by the records of the Department.
 - Payment of Assessment Due
- The assessments imposed in subsection (b) above shall be due and payable in quarterly installments, each equalling one-fourth of the assessment for the year, on September 30, December 31, March 31, and May 31 of the year, modified to accommodate weekends and holidays, except that for fiscal year 1997 (July 1, 1996 through June 30, 1997), the assessment imposed shall be due and payable equal installments on September 30, December 31 and Providers will be notified, in writing, of the quarteriy due dates. Assessment payments postmarked on the due late will be considered as paid on time. three equal

unbaid installment amounts (rather than to penalty or

All payments received by the Department shall be credited first

JOTICE OF EMPROPINCY AMENDMENTS

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Department. The report shall be on a form prepared by the Department. The report shall include the adjusted gross hospital revenue from the balendar year just ended and shall be utilized by the Department to calculate the assessment for the State licensed or the Illinois Department of Public Health, a separate

succeeding year, every hospital provider subject to an assessment subsection (b) above shall file a report with the

After December 31 of each year, and on or before March 31 of interest), beginning with the most delinquent installments. Reporting Requirements, Penalty, and Maintenance of Records

G)

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31 ending date for the assessment report, the hospital must submit all financial audits covering the assessment report An amended assessment report must accompany such initial assessment report changes based upon the findings of such external financial audits and as indicated in the audited financial statements. Penalties may be applied to the external financial audit statements if the data submitted on amount underpaid due to a filling error.

audit conducted by the Department or its agent within three years after the end of the fiscal year in which the assessment was due, assessment within 30 days after the Department's notification of the change in assessment liability. Requests for considered if such requests are not postmarked on or before the end of the 30 lay review period. Penalties may be applied to the Reconsideration of Adjusted Tax. If the Department, through changes the assessment liability of a nospital provider, hospital provider may request a review or reconsideration of of the assessment adjustment shall not reconsideration adjusted (9

In the case of a

If a nospital

provider conducts, operates, or maintains more than one hospital hospital provider existing as a corporation or legal entity other than an individual, the report filed by it shall be signed by its president, vica-president, secretary, or treasurer or by its fiscal year on or before the due date of the report, there shall be, unless .a.ved by the Department for reasonable cause, added

fiscal year commencing on the next July 1. report snall be filled for each hospital. If the hospital provider fails to file its report for a State assessment equal to 25 percent of the assessment imposed for the

properly authorized agent. the assessment

imposed in subsection (b) above a penalty

year basis. All such books and records shall be maintained for a minimum of three years following the filling date of the assessment report and shall, at all times during business hours Amended Assessment Reports. With the exception of amended assessment reports filed in accordance with subsection (d)(5) or report must be accompanied by a letter identifying the changes

Every acspiral provider subject to an assessment under subsection (b) above snail, keep records and books that will permit the determination of adjusted gross hospital revenue on a calendar of the day, se subject to inspection by the Department or its (6) selcw, an amended assessment report must be filled within 30 and the justification for the amended report. The provider will be advised of any adjustments to the original annual assessment amount through written notification from the Department. Penalties may be applied to the amount underpaid due to a filing

e) Procedure for Partial Year Reporting/Operating Adjustments amount underpand due to a filling error.

If a nospital provider ceases to subject to assessment under subsection (b) above, the assessment adjusted by multiplying the assessment computed under subsection (d) by a fraction, the numerator of which is the number of days in the year during which the provider conducts, operates, or person shall file a final, amended report with the Department not more than 30 calendar days after the cessation, reflecting the adjustment, and shall pay with the final return the assessment for the State Elscal year in which the cessation occurs snail conduct, operate, or maintain a hospital for which the person Cessarion of business during the fiscal year in which maintains the hospital and the denominator of which is 365. assessment is being paid.

year in which the A nospital provider who commences assessment Jeretmination and on the regular installment due dates assessment amount for the provider the Department shall develop aypothetical annualized revenue projections based upon geographic conducting, operating, or maintaining a hospital for which the person is subject to assessment inder subsection (b) above, snall file an initial report for the State fiscal year in which the commencement occurs within 30 calendar bays thereafter and snall pay the assessment under subsection (d) above as computed by the Department in equal installments on the due date of the initial for the year as so adjusted, to the extent not previously paid. for the State fiscal year occurring after the due date ocation, facility size and patient case mix. Commencing of business during the fiscal determination. assessment is being paid. initial assessment

etermination made by the Department is final.

Submission of Financial Audit Statements. All nospital providers are required to submit a copy of all financial statements audited by an external, independent auditor, to the Department within 30 days after the close of such externally performed financial audits. If the hospital's year end does not coincide with the

error. 5

calendar days of the priginal report due date.

duly authorized agents and employees.

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- dividing adjusted gross hospital revenue by the number of days For a hospital provider that did not conduct, operate, or maintain a nospital portion of the reporting period the hospital was operational the hospital was in operation and then multiplying the amount by the same during the calendar year shail be used in the on the provider's actual revenues for year reporting period, for the following State fiscal year Revenues realized by a prior provider from Partial Calendar Year Operation Adjustment. throughout the entire calendar annualized based assessment hospital
 - quarterly the assessment amount (including past due assessments and any rests on the hospital provider currently operating or maintaining current owner or were incurred by previous owners. Collection provider to pay any cutstanding assessment liabilities incurred assessment must be paid on the lesignated due dates regardless of changes in ownership or operators. Slability for the payment of interest or penalties that may have accrued against the amount) of delinguent assessment fees from previous providers will be made against the current provider. Failure of the current by previous providers shall result in the application penalties described in subsection (f)(1) of this Section. the hospital regardless if these amounts were incurred by The full Change in Ownership and/or Operators. annualization equation, if available. +

Penalties G

the installment not paid on or before the due date, plus five of each month thereafter, not to exceed 100 percent of the Any nospital that fails to pay the full amount of an installment when due shall be charged, unless waived by the Department for reasonable cause, a penalty equal to five percent of the amount percent of the portion thereof remaining unpaid on the last

satisfied or until a reasonable repayment schedule has been approved by the Department. If a reasonable agreement cannot be reached or if a nospital fails to compiy with an agreement, the Within 45 days from the due date, the Department may begin recovery actions against delinquent hospitals participating in the Medicaid Program. Payments may be withheld from the hospital Department reserves the right to recover any outstanding provider assessment, interest and penalty by recouping the amount or a portion thereof from the hospital's future payments from the Department. The provider may appeal this recoupment in accordance with Department rules contained in 89 Ill, Adm. Code The Department has the right to continue recoupment during Penalties pursuant to subsection (f)(l) above will continue to accrue during the recoupment process. Recoupment proceedings against the same hospital two times in a penalties, installment amount not paid on or before the due date. until the entire assessment, including any the appeal process. 2)

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fiscal year may be cause for termination from the Program. Pailure by the Department to initiate recoupment activities within 45 days snail not reduce the provider's liabilities nor it preclude the Department from taking action at a later

- Department cannot recover the full amount due through the claims processing system, within three months after the fee due late, the Department may begin legal action to recover the monies, If the hospital does not participate in the Medicald Program, no longer doing business with the Department, or including penalties and interest owed, plus court costs.
- The Director may establish delayed bayment of assessments and/or valve payment of interest and benalties for groups of hospitals such as disproportionate share hospitais or all other hospitals when: Delayed Payment - Groups of Hospitals epe 6
 - a cash flow bond pool's, or any other group financing plans', the State delays payments to hospitals due to problems to State casn flow; or
- requests from providers for loans are in excess of 123 scheduled proceeds such that a significant number of nospitals will be unable to obtain a loan to pay the assessment. Delayed Payment - Individual Hospitals
- may delay assessments for individual hospitals that are unable to make delayed navison arrangements shall extend beyond the last ousliness day In addition to the provisions of subsection (q) above, the Director of the calendar quarter following the quarter in which the assessment was to have been received by the Department as described in subsection timely bayments under this Section due to financial difficulties.
 - Criteria. Delayed payment provisions may be instituted only Delayed payment provisions hospitals who meet all of the under extraordinary circumstances. be made only to qualified c) above.
- A) the provider has experienced an emergency which necessitates this instance is defined as a circumstance under which institution of the payment and penalty provisions described in subsections (c)(l), (c)(2), (f)(l) and (f)(2) above would impose severe and irreparable harm to the citents served. Circumstances which may create such emergencies include, but Emergency institution of delayed payment provisions. following requirements:
- which have precluded payments, or which Department system errors (either automated system or such that provide further раутелів are not limited to, the following: provider's ability to have caused erroneous clerical)
 - cash flow problems encountered by a provider which are unrelated to Department technical system problems and clients is severely impaired;

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which result in extensive financial problems to a Eacility, adversely impacting on its ability to serve its clients.

provider serves a significant number of clients under

the

E

"Significant" in this a hospital that serves a significant number of clients medical assistance program. instance means: 90,

- this instance means that the hospital qualifies as a disproportionate share hospital under 89 Il.. Adm. Code 148.120(a)(1) through 148.120(a)(5); or qualifies under the medical assistance program; significant in Medicare DSH hospital under the current federal
- a government-cwned facility, which meets the cash flow guidelines.
 - a hospital which has filed for Chapter 11 bankruptcy, neets the cash flow criteria under subsection criterion under subsection (h)(l)(A)(ii) above. (A)(ii) above.
- include a Cash Position Statement which is based upon the provider must file a delay of payment request as defined (n)(3)(3) below, and the request must liabilities payable to owners or related parties must not be reported as current liabilities on the Cash Position A deferral of assessment payments will be denied date which is less than 60 days prior to the date of filing. current assets, current liabilities and other data for if any of the following criteria are met: under subsection Statement.
 - the ratio of current assets divided by current liabilities is greater than 2.0.
- cash, short term investments and long term investments equal or exceed the total of accrued wages payable and the assessment payment. Long term investments which are unavailable for expenditure for current operations to donor restrictions or contractual requirements will not be used in this calculation.
- the provider must snow evidence of denial of an application the provider must sign an agreement with the Department which specifies the terms and conditions of the delayed borrow assessment funds through a cash flow bond pool or financial institutions such as a commercial bank. denial must be 90 days bid or less. (E)
- delayed contain the the Jo The agreement shall specific reason(s) for institution provisions.
- specific dates on which payments must be received and the amount of payment which must be received on each specific date described;

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iii) the interest or a statement of interest waiver as WOTICE OF EMERGENCY AMENDMENTS

described in subsection (h)(5) below that shall be due

- sold, the new owners will be made aware of the include provisions that the new owners will assume a certification stating that, should the entity be liability and any agreement selling the entity will responsibility for repaying the debt to the Department from the provider as a result of institution of delayed payment provisions;
- a certification stating that all information submitted in support of the delayed payment request is true and accurate to the best of according to the original agreement; to the Jepartment
- such other terms and conditions that may be required signator's knowledge; and by the Department.
 - A hospital which does not meet the above oriteria may request a delayed payment schedule and/or the waiver of interest and The Director may approve the sequest, notwithstanding the nospital not meeting the above criteria, upon a sufficient request for a delayed payment schedule and/or warver of interest and penalties is approved, all other conditions of this showing of financial difficulties and good cause by the nospital. subsection (h) shall apply. penalties. If the
 - In order to seceive consideration for delayed payment provisions, providers must submit their request in writing (telefax requests are acceptable) to the Bureau of Program and Reimbursement Analysis. The request must be received by the date designated by the Department. Providers will be notified, in writing, as to the due dates for submitting delay of payment requests. Requests must be complete and contain all required information before they are considered to have met the time requirements for filling a delayed with original written requests, postmarked no later than the payment request. All telefax requests must be followed Approval Process
- Section and an explanation of the risk of irreparable an explanation of the dircumstances creating the need supportive documentation to substantiate the emergency assessment as defined in subsection (h)(l)(D) of nature of the request including a cash statement as defined in subsection (h)(1)(C) of application for the delayed payment provisions; denial Section,

The request must include:

date of the seletax.

iii) specification of the specific arrangements requested by the provider.

harm to the clients; and

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- delayed gayment provisions. An agreement shall be issued to The hospital shall be notified by the Department, in writing of the Department's the provider for all approved requests. The agreement must be signed by the administrator, owner, chief executive officer or other authorized representative and be received by the Department prior to the first scheduled payment date institution decision with regard to the request for prior to the assessment due date, 9
 - Penalties. The penalties described in subsections (f)(l) and (f)(2) of this Section may be waived upon approval of provider's request for institution of delayed bayment provisions. In the event a provider's request for institution of received the signed agreement in accordance with subsection the subject quarter unless the provider fails to meet all of the terms and conditions of the agreement. In the event the provider fails to meet all of the terms and conditions of the agreement, snall be considered null and void and such delayed payment provisions is approved and the Department (h)(3)(B) above, such penalties snall be permanently waived penalties shall be fully reinstated. listed in such agreement. the agreement 7
- interest. The delayed payments shall include interest at a rate not to exceed the State of Illinois borrowing rate. The applicable interest rate shall be identified in the agreement The interest may be waived by the Director if the facility's current ratio, as described in subsection (h)(l)(C) above, is 1.5 or less and the hospital meets the criteria in subsections (h)(l)(A) and (B) above. Any such walvers granted shall be expressly identified in the agreement described in subsection (h)(1)(E) above. described in subsection (h)(l)(E) above.
 - Once a provider has the provider shall not receive approval for subsequent delayed payment arrangements until such time as the terms and conditions current delayed payment agreement have been satisfied or unless the provider is in full compliance with the terms of the current delayed payment agreement. The waiver of penalties described in subsection (h)(4) shall not apply to a provider that requested and received approval for delayed payment arrangements, has not satisfied the terms and conditions of any current delayed Subsequent Delayed Payment Arrangements. payment agreement. any 9

Department shall administer and enforce P.A. 36-861, P.A. 98-88_ and P.A. 89-21 and Public Act 89-499, and collect the assessments, interest, and penalty assessments imposed under the law, using opriate, in a manner similar to that in which the Revenue administers and collects the retailers' Pursuant to Section 5A-7 of P.A. 86-861, to the extent practicable, procedures employed in its administration of this Code generally and, as it deems appropriate, in a manner similar Administration and Enforcement Provisions

Department

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- occupation tax under the Retailers' Occupation Tax Act ("ROTA"). Exemptions
- A rural hospital, as defined in subsection (1)(11) below, shall be exempt from the assessment imposed under subsection (b). unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case the provider shall pay the assessment imposed under sucsection (b) above.
 - is adjudged to be unconstitutional or otherwise invalid, in which (b) above for all assessment periods beginning on or after July A hospital provider which is a county with a population of more than 3,000,000 that makes intergovernmental transfer payments as provided in Section 15-3 of P.A. 87-861, as amended by P.A. be exempt from the exemption case the hospital shall pay the assessment imposed by subsection 1, 1992, and the assessment so paid shall be creditable against assessment imposed by subsection (b) above, unless the 88-85, P.A. 88-88 and P.A. 89-21, shall
 - The Department is authorized to enter into an interagency agreement with a hospital organized under the University of Wospital Act and exempt from the assessment imposed under subsection (b) of this Section, to make intergovernmental Effective July 1, 1994, these payments shall be deposited into the University of Illinois the intergovernmental transfer payments. payments to the Department. 1111013 transfer
- The Department is also authorized to enter into agreements with publicly owned or operated hospitals not described in subsections (j)(3) above to make intergovernmental transfer Fund, as mandated under P.A. 88-554. (1)(1) through 7
- payments to the Department. These payments shall be deposited into the Hospital Provider Fund.
- Developmental Disabilities shall be exempt from the assessment Facilities operated by the Department of Mental Realth and imposed by subsection (b) above.
 - Nothing in Public Act 89-499 PrAy-89-21 shall be construed to prevent the Department from collecting all amounts due under this Section to an assessment imposed before the effective date of P.A. 89-199 89-EE. Definitions. pursuant
- "Adjusted gross hospital revenue" means the hospital provider's As used in this Section, unless the context requires otherwise:
- total gross pattent charges less Medicare contractual allowances, does not include gross patient revenue from skilled or XVIII or XIX of the Social Security Act, or home nealth and hospice services (and the portion of any Medicare contractual allowance related thereto). Revenue generated from swing beds, as described in subsection (1)(12) below, is considered to be part of the provider's gross hospital revenue. Revenue not related to patient care, such as, investment income, gift shop, intermediate long-term care services within the meaning of

NOTICE OF EMERGENCY AMENDMENTS

revenue accrued during the assessment reporting period must be Patient revenue must be reported on a basis hat is consistent with methods used on the hospital's last two parking lot revenue is not considered as patient revenue. Adjusted gross hospital revenue must be reported on an accrual basis for the assessment reporting period. All patient noluded even though reimbursement may occur after the assessment reporting period. gost reports. afeteria,

Cigarette Tax Contribution" is the sum of the total amount in the previous State fiscal year pursuant to Section 2(a) of the Cigarette Tax Act, plus one notal amount deposited in the Hospital Provider Fund in the previous State fiscal year pursuant to Section 5A-3(c) of Public Act 38-38, as amended by Public Act 89-21. deposited in the Hospital Provider Fund

- 'Department" means the Illinois Department of Public Aid. 6 3
 - "Hospital" means an institution, place, building, "Fund" means the Hospital Provider Fund.
- illinois Department of Public Health under the Hospital Licensing located in this State that is subject to licensure by the Act, unetner public or private and whether organized for profit or not-for-profit.
- "Hospital provider" means a person licensed by the Department of regardless of whether the person is a Medicaid provider. For subdivision of the State, municipal corporation, individual, liability company, association, joint stock association, or trust, or a receiver, executor, trustee, guardian, or other representative Public Health to conduct, operate, or maintain a hospital, firm, partnership, corporation, company, limited purposes of this definition, "person" means any
- the payments established under Section 15-3 of P.A. 87-861, as amended by P.A. 88-85, P.A. 88-88 and P.A. 88-554, and includes "Intergovernmental transfer payment/Interagency Agreement" means witnout limitation payments payable under that Section for July, appointed by order of any court.
- fiscal year and the denominator of which is adjusted gross Contribution" is the total amount of tax imposed by Section 58-2 of Public Act 68-88, as amended by Public assessment imposed by subsection (b) for the previous State to the assessment imposed by subsection (b) for the State fiscal Act 89-21, in the previous State fiscal year on providers subject to the assessment imposed by subsection (b) above; multiplied by a fraction the numerator of which is adjusted gross hospital revenues reported to the Department by providers subject to the hospital revenues reported to the Department by providers subject year immediately preceding the previous State fiscal year. August and September of 1992. 58-2 "Maximum Section
- "Medicare Contractual Allowance" means the difference between charges at established rates and the amount estimated to be paid

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- by Medicare, as appropriate, pursuant to agreements between the "Provider's Savings Rate" effective July 1, 1994, is 1.88 percent multiplied by a fraction, the numerator of which is the Maximum Contribution, and the denominator of which is the Maximum Section 58-2 Contribution. Effective July 1, 1995, through March 31, 1397, the Provider's Savings Rate is 1.25 percent multiplied by the hospital and the Health Care Financing Administration. Section 5A-2 Contribution minus the Cigarette Tax same fraction as described above. 101
 - located outside a metropolitan statistical area; "Rural hospital" means a hospital that is:
- located 15 miles or less from a county that is outside a metropolitan statistical area and that is licensed to P.A. 88-88 (July 14, 1993), as determined by the Illinois perform medical, surgical or obstetrical services and had combined approved total bed capacity of 75 or fewer beds these two service categories as of the effective date
- qualified as a rural hospital by meeting subsection (1)(11)(A) or (B) above as of July 14, 1993. Department of Public Health; or
- 12) The Illinois Department of Public Health must have been notified in writing of any charges to a facility's bed count on or before the effective date of P.A. 88-88 (July 14, 1993). Appeals of the designation of hospital provider shall geographic
- been granted an approval from the federal Health Care Financing care services (42 CFR 409.30, October 1, 1991) and be reimbursed as a swing-bed orovider 13) "Swing-beds" means those beds for which a hospital Administration to provide post-hospital extended

accordance with 89 Ill. Adm. Code 148.310(m).

, effective July 9312 (Source: Emergency amendment at 20 Ill. Reg.

hospital (42 CFR 413.114, October 1, 1991).

1, 1996, for a maximum of 150 days)

Section 140.84 Long Term Care Provider Fund EMERGENCY

- a) Purpose and Contents
- in the State Treasury upon enactment of Public Act 87-961, Public Act 38-88 and Public Act 89-21. Interest earned by the Fund shail be credited to the Fund. The Fund shall not be used to replace any funds appropriated to the Medicaid program by the General 1) The Long Term Care Provider Fund was created
- The Fund is created for the purpose of receiving and disbursing monies in accordance with this Section and Public Act 87-861,
 - Public Act 88-88 and Public Act 89-21. The Fund shall consist of:

NOTICE OF EMERGENCY AMENDMENTS

- A) All mones collected or received by the Department under subsection (b) below;

 B) All federal matching funds received by the Decartment as a
- All rederal maconing funds received by the Department as a result of expenditures made by the Department that are attributable to monies deposited in the Fund;
- C) Any interest or penalty levied in conjunction with the administration of the Pund;

) All other motives received for the Fund from any other
 - All other monies received for the Fund from any of source, including interest earned thereon;
- E) All monies transferred from the Medicaid Long Term Care Provides Patriopation Fee Futus Funds and F) All monies transferred from the Tobacco Products Tax Act.

b Literes Free death of the Control of the Control of C

- reserves the cith to and the reported data.

 I) The license fee Due has been to the bove shall be due

 I) The license fee described in subsection (b) bove shall be due

 In and payable in quatretly installents, on September 10, December

 10, March 13 and June 10 of the year, modified to accommobine weekened and includes. December small be notified, in writing of the quatretly due dates. License See payments postumered on
 - the due date will be considered as paid on time.

 2) All pyments coeived by the Department shall be credited first to unpaid installment amounts (rather than to penalty or interest) beginning with the most delinquest installments.
- Ocurs Autorior constitution of the control of the c
 - Centification mass a certification form centifying that the finds A Sign as certification form centifying that the finds a recording selection of the first centification of the first centification to the first centification of the first

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B) Someth the certification deciment to the operations once a free county budget showing the finds appropriated for the operation of its county musting more. These documents were be submitted within 30 ays after the final approval of the county budget-sign-enderly b

- (C) Shoult the monthly diam to own in the amount of the eve established by the Department willow any third party liability amount. This amount will be reduced by an amount determined by the amount octified and the number of months remaining in the discoll year, ploot to payment sections octification betweent was provided in lieu of an actual iconise fee payments and
- D) Make records available upon request to the Department and/or the Thirted States Department of Salth and Riman Services pertaining to the certification of county finds.
- nursing nome provider subject to a license fee under subsection (b) of this Section small file a report with the Department nursing beds will be effective upon approval of the change by the change in licensed nursing beds, and the date the change was approved by the Illinois Department of Public Realth, must be On or sefore the due dates described in subsection (1)(1), each reflecting any changes in the number of licensed nursing beds occurring during the reporting quarter. The report shall be on a form prepared by the Department. The changes will be reported duarier tv icense fee payment. For the purpose of calculating the license Lee described in subsection (b) above, all changes in licensed submitted to the Department of Public Aid with the licensed nursing bed change form. If a nursing nome provider operates or for each facility. In the case of a nursing nome provider individual, the report filed by it shall be signed by Illinois Department of Public Health. Documentation showing maintains more than one nursing home, a separate report shall existing as a corporation or legal entity other than president, vice-president, secretary, or treasurer or by quartecly and snall be submitted with the revised d) Reporting Requirements, Penalty, and Maintenance of Records Filed
- 2) properly authorized appear fails to file its report for a State fiscal wer must show provide fails to file its report, for a State fiscal year m to before the due date of the report, there shall, unless when day the depertment of responsable usues, be added to the License fee imposed in subsection 10) acover a pomitity fee
- equal to 25 percent of the license fee imposed for the year.

 3) Every nutsing home provider subject to a license fee under subsection (b) above shall keep records and books that will permit the determination of licensed nutsing bed days on a

JOHNSON EMERGENCY AMENDMENTS

for a minimum of three years following the filling date of the license fee report and shall, at all times during business hours quarterly basis. All such books and records shall be maintained of the day, be subject to inspection by the Department or its duly suthorized agents and employees.

- be advised of any adjustments to the original annual license fee Penalties may be applied to the amount underpaid due to a filling Amended License Fee Reports. With the exception of amended below, an amended license fee report must be filed within 30 report must be accompanied by a letter identifying the changes notification from the Department. fee reports filled in accordance with subsection (d)(5) calendar days after the original report due date. The amended and the justification for the amended report. The provider will through a written license 7
- through an audit conducted by the Department or its agent within three years after the end of the fiscal year in which the assessment license fee was due, changes the license fee liability lays of the Department's notification of the change in ilcense fee Lability. Requests for reconsideration of the license fee adjustment shall not be considered if such requests are not Penaities may be applied to the amount underpaid due to a filing If the Department, of a nursing nome provider, ine nursing home provider may request a review or reconsideration of the adjusted license fee within 30 on or before the end of the 30 day review period. Reconsideration of Adjusted License See.
- to which the person is subject to the license fee imposed under subsection (b) above, and for which the closure date for the facility has been set, shall file a final report with the Department on or before the due date for the quarter in which the of days the facility is open during the reporting quarter and shall be submitted with the final quarterly payment. Example: A facility is set to close on September 24. On or before the due the facility will submit a final report reflecting 86 days of the operation (July 1 through September 24) and the corresponding 1) Cessation of business during the quarter in which the license fee is being paid and the closure date has been set. A nursing home provider who ceases to conduct, operate, or maintain a facility closure is to occur. The report will reflect the adjusted number sate for the reporting quarter of July 1 through September Procedure for Partial Year Reporting/Operating Adjustments
- home provider who ceases to conduct, operate, or maintain a facility for which the person is subject to the license fee imposed under subsection (b) above, and for which closure occurs after the due date for the reporting quarter, but prior to the Cessation of business after the quarterly due date. quarrerly license fee payment. 23

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facility was operational during the quarter (October 1 through December 27) must be filed with the Department. ast day of the reporting quarter, shall file an amended final report with the Department within 30 days after the closure date. the amended report will reflect the number of days the facility was operational during the reporting quarter and the revised license fee amount. Upon verifying the data submitted on the amended report, the Department will issue a refund for the amount overpaid. Example: On December 19 a facility pays the license fee for 92 days covering the reporting quarter of October 1 througn December 31. The facility closes on December 27. An amended report reflecting 88 days, the actual number of days the

- Cessarion of business prior to the quarterly due date. A nursing prior to the due date for the reporting quarter, snall file a home provider who ceases to conduct, operate, or maintain a facility for which the person is subject to the license fee imposed under subsection (b) above, and for which closure occurs final report with the Department within 30 days after the closure The final report will reflect the number of days the will be verified with the Department of Public Health, and if necessary adjustments will be made to the final license fee due. Example: Facility closes on January 17. On or before February 17, the facility must file a final report for the seporting quarter of January 1 through March 31. The report would reflect 17 days of operation (January 1 through January 17) during the quarter and must be accompanied by the final license fee payment Closure dates facility was operational during the reporting during the final license See amount. and the corresponding for the facility. date.
 - license fee is being paid. A nursing home provider who commences above, shall file an initial report for the reporting quarter in which the commencement occurs within 30 calendar days increafter year in which the conducting, operating, or maintaining a facility for which the person is subject to the license fee imposed under subsection (b) Commencing of business during the fiscal
- were incurred by previous owners. Collection of delinquent Assessment.License fees from previous providers will be made against the current provider to against the current provider to against the current provider to against any outstanding assessment, license fee liabilities incurred assessment/license fee must be paid on the designated due dates regardless of changes in ownership or operators. Liability for the payment of the assessment/license fee amount (including past due assessment license fees and any interest or penalties that provider currently operating or maintaining the nursing facility egacdless if these amounts were incurred by the current owner or may have accrued against the amount) rests on the nursing and shall pay the license fee under subsection (d) above. Change in Ownership and/or Operators. The full qu

NOTICE OF EMERGENCY AMENDMENTS

by previous providers shall result in the application penalties described in subsection (f)(1) of this Section. Penalties

- 1) Any nursing home provider that fails to pay the full amount of an installment when due, or fails to report a change in licensed nursing beds approved by the Department of Public Health prior to the due date of the installment, shall be charged, unless waived by the Department for reasonable cause, a penalty equal to five percent of the amount of the installment not paid on or before the due date, plus flve percent of the portion thereof remaining unbaid on the last day of each month thereafter, not to exceed percent of the installment amount not paid on or before the
- participating in the Medicaid Program. Payments may be withheld recovery actions against delinquent nursing home providers intil the entire license fee, including any penalties, is satisfied or until a reasonable repayment schedule has been approved by ne Department. If a reasonable agreement or if a provider fails to comply with an agreement, the Department reserves the right to recover any interest and penalty by recouping the amount or a portion thereof from the provider's future payments from the Department. The provider may appeal this recoupment in accordance with the Department rules contained in 89 Ill. Adm. Code 104. The Department has the right to continue recoupment Penalties pursuant to subsection the recoupment process. Recoupment proceedings against the same nursing home provider two times in a fiscal year may be cause for termination recoupment activities within 45 days shall not reduce the provider's liabilities nor shall it preclude the Department from Failure by the Department to due date, the Department (f)(l) above will continue to accrue during during the appeal process. outstanding license fee, Within 45 days from the from the provider cannot be reached, from the Program. 2)
- If the nursing home provider does not participate in the Medicald Department, or the Department cannot recover the full amount due through the the Separtment may begin legal action to recover the monies, including penalties and interest owed, plus court costs. claims processing system, within three months after the fee Program, or is no longer doing business with the taking action at a later date.
- The Director may establish delayed payment of fees and/or waive the the State delays payments to facilities due to problems related payment of interest and penalties for groups of facilities when: Delayed Payment - Groups of Facilities ô
- a cash flow bond pool's or any other group financing plans' requests from providers for loans are in excess of its scheduled to State cash flow: or

proceeds such that a significant number of facilities will be

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unable to obtain a loan to pay the license fee. Delayed Payment - Individual Facilities

may delay license fees for individual facilities that are unable to In addition to the provisions of subsection (g) above, the Director make timely payments under this Section due to Einancial difficulties. No delayed payment arrangements snall extend beyond the last business day of the calendar quarter following the quarter in which the license fee was to have been received by the Department as described

- Criteria. Delayed payment provisions may be instituted only under extraordinary circumstances. Delayed payment provisions shall be made only to qualified facilities who meet all of the following requirements: subsection (c) above.
- institution of delayed payment provisions. Emergency in this instance is defined as a circumstance under which A) the facility has experienced an emergency which necessitates institution of the payment and penalty provisions described in subsections (c)(1), (c)(2), (f)(1), (f)(2) and (f)(3) above would impose severe and irreparable harm to the Circumstances which may create such emergencies include, but are not limited to, the following: clients served.
- Department system errors (either automated system or clerical) which have precluded payments, or which have caused erroneous payments such that the facility's ability to provide further services to clients is severely impaired;
 - cash flow problems encountered by a facility which are to Department technical system problems and which result in extensive financial problems to a unrelated
- facility adversely impacting on its ability to serve the facility serves a significant number of clients under its clients.
 - Medical Assistance Program. Significant in this nstance means:
 - 85 percent or more of their residents must be eligible
- a government-owned facility, which meets the cash flow criterion under subsection (h)(l)(A)(ii) above. for public assistance;
- iii) a provider who has filled for Chapter 11 cankruptcy, which meets cash flow criterion under subsection (h)(l)(A)(ii) above.
- the facility must file a delay of payment request as defined liabilities and other data for a date which is less than 60 days prior to the date of filling.
 Any liabilities payable to coners or related parties must
 not be reported as current liabilities on the Cash Position under subsection (h)(3)(A) below and the request include a Cash Position Statement which is based current assets, current 6

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Statement. A deferral of license fee payments will be denied if any of the following criteria are met:

current cash, short term investments and long term investments ratio of current assets divided by liabilities is greater than 2.0;

or exceed the total of accrued wages payable and the license fee payment. Long term investments which are unavailable for expenditure for current operations to donor restrictions or contractual requirements will not be used in this calculation; cash or other assets has been distributed during the previous 90 days to owners or related parties in an goods or services in excess of cost as defined in amount equal to or exceeding the license fee payment for dividends, salaries in excess of those allowable under Section 140.541 or payments for purchase of

facilities, must show evidence of denial of an application facility, with the exception of government owned to borrow license fee funds through a cash flow bond pool or financial institutions such as a commercial bank. Section 140.537. â

which specifies the terms and conditions of the delayed The agreement shall contain the the facility must sign an agreement with the Department denial Tust be 90 days old or less. encisions. CANTROLL í i

following provisions:

specific reason(s) for institution of the delayed specific dates on which payments must be received and payment provisions;

the amount of payment which must be received on each the interest or a statement of interest valver as described in subsection (h)(5) below that shall be due specific date described;

a certification stating that, should the entity be sold, the new cyners will be made aware of the from the facility as a result of institution of delayed payment provisions;

include provisions that the new owners will assume a certification stating that all information submitted to the Department in support of the delayed payment request is true and accurate to the best of the liability and any agreement selling the entity will responsibility for repaying the debt to the Department according to the original agreement;

such other terms and conditions that may be required signator's knowledge; and

2) A facility which does not meet the above criteria may request a by the Department.

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delayed payment schedule and/or the waiver of interest and penalties. The Director may approve the request, notwithstanding the facility not meeting the above criteria, upon a sufficient showing of financial difficulties and good cause by the facility. If the request for a delayed payment scnedule and/or waiver of interest and penalties is approved, all other conditions of this subsection (h) shall apply.

In order to receive consideration for delayed pa/ment Approval Process

3

(telefax requests are acceptable) to the Bureau of Program be notified, in writing, of the due dates for submitting delay of payment requests. Requests must be complete and contain all required information before they are considered to have met the time requirements for filling a delayed provisions, facilities must submit their request in writing and Reimbursement Analysis. The request must be received by due date designated by the Department. Providers will with original written requests, postmarxed no later than the payment request. All telefax requests must be followed date of the relecax. The request must include:

an explanation of the circumstances dreating the need supportive documentation to substantiate the emergency for the delayed payment provisions;

position statement as defined in subsection (h)(1)(C) above: a denial of application to borrow the license fee as explanation risk of irreparable harm to the clients; and nature of the request including a cash (h)(l)(D) above defined in subsection

iii) specification of the specific arrangements requested by the facility.

The facility shall be notified by the Department, in writing prior to the license fee due date, of the Department's delayed payment provisions. An agreement shall be issued to be signed by the administrator, owner or other authorized representative and be received by the Department prior to facility for all approved requests. The agreement must decision with regard to the request for institution 8

Waiver of Penalties. The penalties described in subsections f)(1) and (f)(2) above may be waived upon approval of the payment provisions is approved and the Department has received facility's request for institution of delayed payment provisions. in accordance with subsection (h)(3)(B) the first scheduled payment date listed in such agreement. for institution In the event a facility's request 7

above, such penalties shall be permanently waive! for the subject quarter unless the facility fails to meet all of the terms and conditions of the agreement. In the event the facility fails to

the signed agreement

WOTICE OF EMERGENCY AMENDMENTS

the terms and conditions of the agreement, the agreement shall be considered null and void and such penalties Interest. The delayed payments shall include interest at a rate shall be fully reinstated.

not to exceed the State of Illinois borrowing rate. The applicable interest rate shall be identified in the agreement The interest may be waived by the Director if the facility's current ratio, as described in subsection (h)(1)(C) above, is 1.5 or less and the facility meets the criteria in subsections (h)(1)(A) and (B). Any such waivers granted shall be expressly identified in described in subsection (h)(1)(E) above.

Once a facility has requested and received approval for delayed payment arrangements, the facility snall not receive approval for subsequent delayed payment arrangements until such time as the terms and conditions of any current delayed payment agreement have been satisfied or the provider is in full compliance with the terms of the The waiver of penalties described in subsection (h)(4) above shall not apply to a facility that has not satisfied the terms and conditions of any agreement described in subsection (h)(1)(E) above. Subsequent Delayed Payment Arrangements. current delay of payment agreement. unless

the Department shail administer and enforce P.A. 86-861, P.A. 88-88 Pursuant to Section 58-7 of P.A. 87-861, to the extent practicable, Administration - enforcement provisions current delayed payment agreement.

and P.A. 89-21, and collect the license fees, interest, and penalty administration of this Code generally and, as it deems appropriate, in manner similar to that in which the Department of Revenue from collecting all amounts due under this Section pursuant to an administers and collects the retailers' occupation tax under the Nothing in P.A. 39-21 shall be construed to prevent the Department fees imposed under the law, using procedures employed in Retailers' Occupation Tax Act ("ROTA"),

assessment imposed before the effective date of P.A. 89-21. Definitions Ş

As used in this Section, unless the context requires otherwise:

"Department" means the Illinois Department of Public Aid. "Fund" means the Long-Term Care Provider Fund.

regardless of whether the person is a Medicald provider. For purposes of this definition, "person" means any political corporation, company, limited liability "Hospital Provider" means a person licensed by the Department of company, association, joint stock association, or trust, or a receiver, executor, trustee, guardian, or other representative Public Health to conduct, operate, or maintain a hospital, subdivision of the State, municipal corporation, individual firm, partnership,

"Licensed nursing bed days" means, with respect to a nursing home appointed by order of any court.

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1.5 covered by a license issued to that provider under the Nursing swing-beds, as described in subsection (k)(8) of this Section, the number of days during a calendar quarter on which each bed the exception provider, the sum for all nursing beds, with

"Nursing home" means a skilled nursing or intermediate long-term for profit or not-for-profit, that is subject to licensure by the Act, including a county nursing home directed and maintained under Section 5-1005 of the Counties Code; and a part of a a facility operated solely as an intermediate care facility for the mentally retarded within the meaning on Title care facility, whether public or private and whether organized Illinois Decartment of Public Health under the Nursing Scme Care hospital in which skilled or intermediate long-term care services within the meaning of Title XVIII or XIX of the Social Security Act are provided. However, the term "nursing home" does not XIX of the Social Security Act, or a State facility operated by, or under, the authority of the Illinois Department of Veteran's Home Care Act or the Hospital Licensing Act. include

"Nursing home provider" means a person licensed by the Department intermediate long-term care services; or a hospital provider that provides skilled or intermediate long-term care services of Public Health to operate and maintain a skilled nursing or intermediare long-ream care facility which charges its residents, a third party payor, Medicaid, of Medicare for skilled nursing or within the meaning of Title XVIII or XIX of the Social Security (9

"Person" means, in addition to natural persons, any political subdivision of the State, municipal corporation, individual, firm, partnership, corporation, company, limited liability trustee, guardian, or other representative company, association, joint stock association, or trust, or appointed by order of any court. deceiver, executor,

been granted an approval from the federal Health Care Financing Administration to provide post-hospital extended care services (42 CFR 409.30, October 1, 1991) and be reimbursed as a swing-bed "Swing-beds" means those beds for which a hospital lospital (42 CFR 413.114, October 1, 1991). Emergency amendment at 20 111. Reg. 9312, effective July 1, 1996, for a maximum of 150 days) (Source:

SUBPART E: GROUP CARE

Section 140.555 Minimum Wage EMERGENCY

In the event of minimum wage increases, it may be necessary to make further

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adjustments when the legislatively mandated change has an impact greater than the increase in costs projected by used of the above inflation projections. The specific adjustment for this change will be calculated as follows:

The average nurses' aide salary for each geographic area Heakth Service-Area-(ESA)-group will be updated for inflation as specified in Section 140.552.

The number will be compared to the new hourly minimum wage figure plus ten cents.

updated, average nurses' aide salary, the difference between the two nurses' aide salary, no adjustment will be made. If it exceeds the will be divided by the updated nurses' aide salary. That will yield a percentage shortfall which will be adjusted by the statewide average of nonadministrative salary costs as a percentage of total operating the minimum wage plus ten cents is less than the updated average costs and applied as an additional inflation factor to all facilities in that geographic area HSA-group.

, effective July (Source: Emergency amendment at 20 Ill. Reg. 9312 1, 1996, for a maximum of 150 days)

Section 140.560 Components of the Base Rate Determination

year beginning July 1, 1390, and for subsequent years thereafter shall be based on the facility's cost report for the facility's full fiscal year ending at any December 31, 1989 year end files their cost report prior to April 1, 1990, that 11990. In this example, if the December 31, 1989 cost report is not filled until after March 31, 1990, the December 31, 1998 cost report will be used to set Except as specified otherwise in this Section, rates calculated for the rate filed prior to April 1. Otherwise, the latest cost report available on March 31 will be used to set rates for July 1. For example, if a facility with a cost report will be used to set rates for the rate year to begin on July 1, point in time during the previous calendar year as long as that cost report

- of a change in ownership of a previously certified covering a minimum of the first six months of operation is received by cannot be filed with the Office of Realth Finance prior to April 1st, facility, the rate issued to the previous owner will be in effect for the remainder of the rate year. A new rate will be calculated for the next rate year based on the new cwner's cost report if a cost report the Office of Realth Finance prior to April 1st. If a cost report covering the first six or more months of operation for the new owner the rate will be calculated based upon the prior owner's cost report not been completed in accordance with the filed in accordance with the opening paragraph of this Section. dates for the rate year to begin on July 1, 1990. report which has In the case
- Department's rules and cost report instructions will not be considered as received until all cost report report pages are properly conjected. In the case of a new facility, capital reimbursement will be assigned G

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MOTICE OF EMERGENCY AMENDMENTS

cost report). The support reimbursement will be set at the median for that region. The facility must then file a six month cost report, (beginning with date the first patient was admitted) which contains actual historical cost information. The capital and support r-r s will then be recalculated based upon this cost report. Rates 30 calculated will go into effect on the first day of the first month after the six month cost report is received by the Department's Office of Health Pinance. The Eacility must obtain written verification of the initial cost reporting periods from the Office of Realth Shance. on the receipt of the first cost report (which may be an abbreviated

- building will increase the loensed bed capacity by 10 percent or more, the facility may file a this revised cost report is filled within 30 days of the date of the Public Health, any increase in the dapital rate will be effective on the effective date of licensure increase. If the revised cost report is filed more than 30 days after the effective date of increase in first day of the first month after the report is received by Department licensure, any increase in the capital rate will be effective on revised cost report reflecting the increased capital investment. Illinois oy the When a construction addition to the increase in licensure as determined
- Once a rate for an individual facility has been calculated, a new rate will not be calculated during the course of the rate year except Finance Section. ç
- if a facility incurs building construction improvements which increase costs is filed prior to the beginning of the next rate year, then any the total building cost for the current owner by ten (10) percent or file a revised cost report which reports the increased capital the improvements have been completed and put into use prior to the forthcoming rate year and the cost report reflecting increased capital increase in the capital rate will be effective on the first day of the investment. The base year is defined in Section 140.570(b)(2). more and which would raise the base year, then the nursing provided in subsections (b) and (c) apove. rate year. e)
- In order to accommodate the downsizing or reduction in bed capacity of ICF/WR facilities licensed for ICF/DD or SNF PED Services, the licensure level by 20% or more due to a decrease in the beds licensed as ICF/DD or SNE/PED. The reduced bed capacity nust be appropriate to achieve one or more of the following goals: (1) achieve compilance with ICE/VMR regulations, such as four or fewer persons per room, only apply for facilities which decrease their total (2) achieve compliance with ICF/MR regulations in an adverse action as of a Plan of Correction (77 Ill. Adm. Code 300.278), and increase available space in order to provide services to persons with severe physical and/or medical conditions: i.e., persons who need services under Specialized Care-Health and Sensory Disabilities, following provisions will apply for revisions to rates. Levels II and/or III (89 Ill. Adm. Code 144.153). provisions £)

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- The Gacility must request presponsal for papication of these provisions from the Depuy Director of the Department's Division of Medical Operations. The strictor request must describe the meresty to reduce lineased bed capacity. The facility must send a schedule of the proprieted there of each decrease in census. Aftites approva, may be grained if the Depuy Director determines the change will be beneficial for the ICF DD or SMY 72D Feel Switzs.
 - 2) The reduction in the number of licensed beds must be completed within a cross year period following the Dapury Director's approval, unless a ionger reduction period is approved by the Dapury Director at the onset of the plan.
- Outpoint access with initially se ace based upon provisions in Sections 13,570 photoph 10,574 with his case of capital days as a seven 13.00 photopholyst with his case of capital days as a seven interest seven in the section 10,574 will be the set upon the set opposite the set of the s
 - 4) The capital and support rates will be revised every six months during the approved domaiting period. These rates will also be ravised on July 10 c each year. The facility must fille reports of days of Eare provided, as requested by the Department.
- of days of care provided, as requested by the department, of the captual rates will be increased in proportion to the agreed upon decrease in the neman of 18,250 days and a projected decase of 18,575 the initial 6.00 days and a projected decase of 18,575 the initial 6.00 days and a projected decase of 18,575 the initial 6.00 days and a set is mitiplied by the obstination of 18,500 days are the set is mitiplied by the obstination of 18,500 days and a month period will be adjusted by a planned census reduction), or (65,00) X (18,500,16,12) = 56.67 N Projected census for each six month period will be adjusted by any difference between the projected decases (or the projected decases (or the centual census for the projected decases (or the centual census the count census the centual census the count of th
- B) The approper are will be increased in propertion to the planned decrease in census duting the six month period, with the assumption has 30% of the appoor cooks are fixed and 50% of the appoor taxe is waitable. The waitable half of the appoor taxe is waitable. The waitable half of the appoor taxe is waitable. The waitable half of the appoor taxe is waitable. The waitable half of the planned census decrease over the six month period. The estimated unpoor; are for the six month period would be projected census for each six month period would be projected census for each six month period will be adjusted by any difference between the projected census for the previous previous period and the actual census for the previous

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- of the propers are we will be set according to the methodology described in 39 111, AAm. Code 114.25%. The apport care for CITZPOD Excellites may not exceed the Kholity's agreement of the second of the SAMINATION OF THE
- GEORGEACHES ARE ARE CELLING.

 BELLING SIZE OF THE CELLING SERVICE AND ASSESSED AS A SERVICE AND ASSESSED AS A SERVICE AND ASSESSED AS A SERVICE AS A

(Source: Emergency amendment at 20 III. Reg. 9312, effective July 1, 1996, for a maximum of 150 days)

Section 140.561 Support Costs Components EMERCENCY

Support class Components (includes laundry, dietary, house-keeping, utility and administrative expenses)

The Oppartment shall reimburse each facility for support costs associated with the provision of long-term eace on the basis of the facility partment with the provision of long-term eace on the basis of the classicinally between the Seculity's per class allowable support costs.

associated with the growing of Good were are on the basis of the teationals between the facility per dies allowable support coors and effectively per dies allowable stages Besterbergers and reference whise determined for each programming allowable support coors for all long or more castilities with adequate cour report data. The all long term one delicities with adequate cour report data. The all supports with a Department of Public Sealth license classification NRT-NET SILIAE NATION TREE PUBLIC SEALTH CONTROL SEALTH STAGES AND ADMINISTRATION TO THE DEPARTMENT OF THE DEPARTMENT OF THE DEPARTMENT OF THE DEPARTMENT OF THE SEALTH STAGES AND ADMINISTRATION TO SEALTH STAGES AND ADMINISTRATION TO SEA THE SEALTH STAGES AND ADMINISTRATION TO SEAT THE SEALTH STAGES AND ADMINISTRATION TO SEAT THE SEAT T

If a facility's per diem allowable support costs are less than the Sith protentile "alue for per diem allowable support costs in the <u>Pestapolic case</u> and-speech the support costs in the Easility's per diem allowable support costs in side difference between the 75th percentile walue for per diem

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support costs in the geographic area HSA-group and the facility's per diem allowable support costs, up to a ceiling. The ceiling shall be equal to 50% of the difference between the 15th percentile value of allowable per diem support costs for the allowable per diem support costs for the geographic area HSA geographic area HSA--group and the 35th percentile value

- If a facility's per diem allowable support costs are greater than or equal to the 35th percentile value of per diem allowable support costs for the geographic area HSA-group and less than the Sth percentile value of per diem allowable support costs for the geographic area HSA-group, the support rate will be equal to the difference between the 75th percentile value of per diem allowable support costs for the geographic area HSA-group and the facility's per diem allowable support costs plus 50% of group plus 5.05. 5
- if a facility's per diem allowable support costs are equal to or greater than the 75th percentile value of per diem allowable support costs for the <u>geographic area</u> HSA-greep, the support rate will be equal to the 75th percentile value of per diem allowable Eacility's per diem allowable support costs.
- ö Small scale ICE/WR facilities which are licensed as Intermediate Care Racilluties for the Developmentally Disabled with four or six beds ICF/DD-6) (see 89 Ill. Adm. Code 144.300 and 144.325) are separately ildensed facilities. However, for support reimbursement, the per diem is based on a sixteen person capacity and the sum of the The set of small scale CPs/DD used in computing the support per diem will be identified in the provider agreements. All facilities in a set must be within the boundaries of the same geographic area HSA. Removal and/or addition of a small scale ICF/DD which is part of a set requires both a written notice by the provider 90 days before the beginning of a fiscal year July 1), or upon certification in the case of a new facility which is icensed, and a change in the affected provider agreement that dentifies the membership of the set. Sach per diem calculated by aggregating allowable support costs over the specified set of small scale ICFs'DD based on a sixteen person capacity will be treated as a single facility licensed as ICP DD-16, and will be included in the support cost components is aggregated over four 4-person ICFs/DD, computation of support rates described in subsection (d). support costs for the geographic area HSA-group. 4-person plus two 6-person ICPs/DD. ICF, DD-4, auc a a
 - For all facilities with a Department of Public Realth license classification SNF/PED (Skilled Nursing Facility for Pediatric residents), the support rate will be computed exactly as described for the SNF/ICF and ICF/DD facilities, except that the referent value for each geographic area HSA-group (i.e. the 35th percentile values and the 75th percentile values for per diem allowable support costs) will be increased to 120% of the referent values applied in the computation of the support rates for SNF/ICF and ICF/DD facilities. ô

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G)

- license for the percentile values for per diem allowable support costs based upon cost of facilities or sets of facilities licensed as ICF/DD-16. A set of facilities licensed as ICF/DD-4 or ICF/DD-6 are considered as an will be used to locate the 35th percentile and the 75th percentile walues for per diem allowable support costs. Those sets of small scale Developmentally Disabled with 16 or fewer residents or a set of small scale ICFs/DD with a sixteen person capacity), the support rate will CEND-16 for the burbose of support relaburaement and the support rate is computed exactly as described for ICF/DD-16 facilities. All ICFs/DD-16, including sets of ICF/DD-4 and/or ICE/DD-6 facilities, which have support costs above the 75th percentile will be reimbursed for support costs up to, but not to exceed, 106.6% of facilities with a Department of Public Health Care Facility be computed by regionalizing the 35th percentile values and (Intermediate TCF/DD=16 classification facilities
- except that the referent values for each geographic area HSA-group of Public Health license classification SLC (Specialized Living Center), as determined by the tne Department of Public Aid, one support rate will be computed exactly as described for one SNF ICF and ICF/DD facilities, per diem allowable support costs) will be increased to 152.8% of i.e. the 35th percentile values and the 75th percentile values referent values applied in the computation of the support rates Mental Health and Developmental Disabilities For all facilities with a Department 75th percentile. Department of recognized by

. effective July 9312 Emergency amendment at 20 Ill. Reg. 1, 1996, for a maximum of 150 days) (Source:

SNF/ICF and ICF/DD facilities.

Section 140.578 Property Taxes SMERGENCY

- to the reported per diem property tax addusted for long term care services rendered from July 1, 1984, through June occupancy as specified in Section 140.570(b)(3) and projected forward to the mid-point of the rate year using the average yearly opened an property taxes as reported on the most recent available cost report for a sample of nomes in the geographic area Heatth-Service-Area taxes at 30, 1985, each facility shall be reimbursed for property rate equal (8)
- reimbursement for real estate caxes shall be based upon the actual The base year will be the calendar year which ended 18 months before the beginning of the rate year on July 1. A per diem real estate tax will be determined using accual occupancy or adjusted occupancy as specified in Section 140.570(b)(3). This per diem cost will be projected forward to the mid-point of the For long term care services rendered subsequent to June 30, 1985, taxes assessed for the base year. e c

OTICE OF EMERGENCY AMENDMENTS

tate year using the average yearly changes in property taxes for each agographic area faith-developes by percent sample of facilities with property tax cost. Property taxes which do not relate to the provision of care in the nursing home, such as tax assessments

- Coft investment property will not be considered for cinburseent.

 1) Each year long team care facilities must submit a copy of the seal external than the Department will send a Property Tax Statement form for the long feen care facility to complete and esturn with a copy of the tax bill, This will provide information mecessary to calculate the real
 - estare tax portion of the capital rate.

 2) Beginning with rates to be effective on July 1, 1995, the real estare tax cost described in this Section will be adjusted as follows prior to rate calculation:
- Any direct appeal cost from Section 140.535(c)(2) will be added.
 If the same cost reporting period is used to set racke for more than one racke year this cost will only be

used for one rate year.

- If a facility receives a refund of real estate taxes used to calculate a payment rate for the current or previous rate years, a portion of that refund will be offset against real estate tax cost to be used to calculate mates for the next tax cost plus one-half of the amount by which the refund exceeds the appeal cost, will be For example, assume that a facility receives a refund of \$70,000 in 1994 for taxes paid for 1991, and the facility pays \$10,000 in legal fees related to the appeal. The \$10,000 legal fee can be reported as a real estate tax cost on the 1994 cost report. Forty thousand dollars of the refund must be offset against the cost that would otherwise be used to calculate the next year's real estate tax rates. The \$40,000 is the \$10,000 fee plus one-half of the \$60,000 to set mates for more than one rare year, this refund excess above the fee. If the same cost reporting period of the direct appeal rate year. The full amount reported as a real estate offset. pesn
 - will mily be offset in one tere year.

 Only provided to defilities which report that amount of could provided to defilities which report that amount of very provided to defilities which report that amount of very secretary the year. In which the recting was received or accreed as a receivable. Any unreported relations will be reclassified as an administrative cost rether than a

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Source: Emergency amendment at 20 Ill. Reg.

1, 1996, for a maximum of 150 days)

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SECRETARY OF STATE NOTICE OF EMERGENCY AMENDMENT(S)

- Heading of the Part: Procedures and Standards
- 2) Code Citation: 92 III. Adm. Code 1001
 3) Section Numbers: Emergency Action:
 - 1001.410 Amend Amend 1001.410 Amend 1001.42 Amend 1001.43 Amend 1001.443 Amend 1001.44

Appendix A

- 4) Statutory Authority: Authorized by Illinois Vehicle Code (625 ILCS 5/71-4011
- 5) Effective Date: July 1, 1996
- Efficie meseagony, manufactors, is rectize before the end of the 130-day period. Diese specify the face on which it is to expire to the amendment will expire with the action which it is to expire. This emergency amendment will expire with the action of proposed amendments at the end of the requise rulesaking process.
- Date filed in Agency's Principal Office: July 1, 1996
- 8) Reason_Categoracy: Place program portion of the rules expires June 30, 1996 and energy rulementing is necessary as the Breath Alconol Infliction Infection Openine (BAID) Pilot Program is being continued beyond its expired in the continued beyond its
- A CORPLECE DESCRIPTION Of the Subtress and Lasses Involved: The proposed otherwise are being made to clastic described. Subtress to the Steat Allonoi Spatial of the Steat Allonoi Spatial Period Section Control Spatial Spatial Control Cont
- 10) Are there any proposed amendments to this Part pending? No
- 11) Statement of Statesder Solice Objectives: Trees proposed sendencers will not require a local government to establish, espand or modify its activities in such a way as to necessitate additional expenditures from local gewines.
- Information and questions remarding this emergency amendment shall be directed to:

Jay Mesi, Senior Legal Advisor Department of Administrative Hearings 288 Howlett Building

Springfield, IL 62756

NOTICE OF EMERGENCY AMENDMENT(S) SECRETARY OF STATE

The full text of the emergency amendment begins on the next page:

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NOTICE OF EMERGENCY AMENDMENT(S) TITLE 92: TRANSPORTATION

CHAPTER II: SECRETARY OF STATE

PART 1001 PROCEDURES AND STANDARDS

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Substitution of Parties Commencement of Actions; Notice of Rearing Conduct of Formal Hearings Appearance of Attorney Special Appearance Record of Rearings Right to Counsel Form of Papers Applicability Definitions Motions Orders 1001.90 1001.100 1001.110 1001.120 1001.10 1001.20 1001.30 1001.40 1001.50 1001.70

SUBPART B: ILLINGIS SAFETY RESPONSIBILITY HEARINGS

Invalidity

Hearings: Notice; Locations; Procedures; Record Decisions and Orders Rules of Evidence Scope of Hearings Rehearings Judicial Review Applicability Definitions Invalidity Section 1001.200 1001.260 1001.210 1001.220 1001.230 1001.240 1001.250 1001.280

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS Right to Representation Applicability Definitions 1001.320 1001.300 1001.310

Section

Duties and Responsibilities

Decisions Invalidity

1001.360

Location of Hearings

1001.340 1001.350

Record and Reports

WOTICE OF EMERGENCY AMENDMENT(S)

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF

Applicability

001.400 .001.410

Section

General Provisions Relating to the Issuance of Restricted Driving Provisions for Reinstatement of Driving Privileges after 6-206(a)1, 6-206(a)6, 6-206(a)17, 6-206(a)24, 6-206(a)31, 6-201, Provisions for Alcohol and Drug Related Revocations, Suspensions, to Sections 6-205(a)2, 6-205(d), Manufacturer's Responsibilities; Approval for Analyzing Alcohol Breath Alcohol Ignition Interlock Device Pilot Program Pursuant 6-203, 6-203.1 and 11-501.1 Cancellations Revocation General Permits and SMERGENCY .001.420 .001.430 001.440 001.441

Disqualification of Manufacturer; Designation and Assignment of Regions Inspections; Breath; DPH Content of

Installers' Responsibilities -- - Parttat--- Certification -- - Renewaky Wert ままじまないのです。 1997年 1001.443

Requests for Modification of Revocations and Suspensions New Hearings 1001.460

Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact Renewal, Correction and Cancellation of RDP's Unsatisfied Judgment Suspensions 1001.470 1001,480 1001.185 .001.490

SUBPART E: FORMAL MEDICAL HEARINGS

Conduct of Medical Formal Hearings Subsequent Hearings Applicability Definitions Procedure 001.530 .001,500 001.510 .001.520 001.540 Section

ZERO TOLERANCE SUSPENSION OF DRIVING PRIVILEGES; PERSONS UNDER THE AGE OF 21 YEARS: IMPLIED CONSENT HEARINGS; RESTRICTED DRIVING PERMITS SUBPART F:

Applicability Definitions 1001.600

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Alcohol and Drug Education and Awareness Program mplied Consent Hearings; Religious Exception Emplied Consent Hearings; Medical Exception Petitions for Restricted Driving Permits Form and Location of Hearings Rebuttable Presumption Burden of Proof Invalidity 1001.640 1001.680 1001.660 1001.670

SUBPART G: MOTOR VEHICLE FRANCHISE ACT

Organization of Motor Vehicle Review Board Motor Vehicle Review Scard Meetings Conduct of Protest Hearing Hearing Procedures Notice of Protest Applicability Definitions Board Fees 740 001,730 001 001

Hearing Expenses; Attorney's Pees Mandatory Settlement Conference 803881 nvalidity rechnical 001,790 100

BAIID Regions and Minimum Installation, Service Center Site Location Guidelines APPENDIX A

6-206 and antiporties of Sections - 100 and 2-100 fits the fits Missions Twhete Cook (625 ILGS 9/2-101) 2-100, 2-1113 -1126 8-100, 6-100 and 6-206; Subpart 8 implementing Chapter 5 and authorities by Sections 2-100, 3-100, 2-106, 2-107, 3-106, 2-100, 2-1 AUTHORITY: Subpart A implementing Sections 2-113, 2-118, 6-108, 6-205, and and 2-104 of the Illinois Wehicle Code (625 ILCS 5/2-103, 2-104, 6-205(c) and 6-206(c)3]. Subpart D authorized by Sections 2-104 and 11-501 of the Illinois the Illinois Vehicle Code (625 ILCS 5/2-104, 6-103, 6-205(c), 6-206(c)3, 6-208 and 11-501]. Subpart E implementing Sections 2-113, 2-119, 2-123, 6-103, 6-203, 6-201, 6-906, and 6-908 and authorized by Sections 2-103, 2-104, 6-906, and 2-113, 2-118, 6-208.2, 11-501.1, and 11-501.8 and authorized by Sections 2-103, 10-104, and 11-501.8 of the Illinous seriate book (65 ELGS, 52-103), 2-104, 2-113, 2-118, 6-208.2, 11-501.1 and 11-501.8 of the Section of Section 11-501.8 of Section Wehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of 5-909 of the Illinois Vehicle Code (525 ELCS 5/2-103, 2-104, 2-113, 2-119, 2-123, 6-103, 6-201, 6-306, 6-908 and 6-309]. Subpart F implementing Sections authorized by the Motor Vehicle Franchise Act [815 ILCS 710].

NOTICE OF EMERGENCY AMENDMENT(S)

1935, effective December 3, 1932, for a maximum of 150 days emergency assembly and the second of the effective Latentier Mary 1, 1959; merceprory manesterms in 2.0 TIL Req. 1655 1978 — Mary 1, 1966, for maximum of 150 days; amended at 20 III. Req. 1978 — Mary 1, 1966, for maximum of 150 days; amended at 20 III. Req. 1978 — Mary 1, 1966, for maximum of 150 days; amended at 20 III. Reg. 1975 — Mary 1, 1966, for maximum of 150 days. SOURCE: Adopted and codified at 7 III. Reg. 7501, effective June 17, 1983; amended at 8 III. Reg. 4220, effective April 1, 1984; emergency amendment at 9 11. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 13 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803, effective October 1, 1989; amended at 14 Ill. Reg. 2601, effective Pabruary 15, 1990; amended at 14 Reg. 16041, effective October 1, 1990; emergency amendment at 16 Ill. Reg. effective January 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15127, effective Seprember 21, 1994; emergency amendment at 19 Ill. effective UL 11996or a maximum of 150 days.

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section 1001.410 Definitions

EMERGENCY

Abstinence" means to refrain from consuming any type of alcoholic

liquor or other drugs.

violations, accidents, suspensions, revocations, cancellations, address and personal information of the driver, as contained in the of traffic Abstract" means a summary of a driver's records files of the Office of the Secretary of State. "Accredited educational course" means any class or course of instruction offered by an accredited educational institution, which course is eliner vocational in nature, or is part of the matriculation process in receiving an academic degree, diploma, or certificate. snall also include attendance at any required instructional class an apprentice program. "Accredited education institution" means any school, or institution, whether public or private, which offers classes or courses of instruction, and which is reviewed and approved or granted a walver of whether public or private, which offers classes approval by the controlling state agency.

ö to as ethyl alcohol Alcohol" means ethanol, commonly referred

alcoholic beverage.

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report which conforms to standards established by the Department, as evaluation must be completed on a form prescribed by the Department. and Drug Evaluation (Investigative)" means a typewritten This evaluation will be conducted as required pursuant to Sections in Section 1001.440(a)(6)(D) of this Subpart. 1001.420(1) and 1001.430(d) of this Subpart, when:

any other drug to a degree which renders such a person incapable of safely driving a motor venicle. (See Section 6-103.4 of the arrest/disposition yet the Patitioner's driving record contains a DUI disposition within the last ten (10) years for which the Petitioner did not or was not required to submit to the Secretary of State an alconol/drug evaluation to obtain driving there is evidence that the Petitioner may be a user of alcohol or the current loss of driving privileges is not related to a privileges; or

"Alcohol and Drug Evaluation (Out-of-State)" means a typewritten report which conforms to standards established by the Department as specified in Section 1001.440(a)(6)(C) of this Subpart. "Alcohol and Drug Evaluation (Uniform Report)" means a typewritten report which conforms to standards established by the Illinois Department of Alcoholism and Substance Abuse (DASA), (See 77 III. Adm. Code 2056.305) The evaluation must be completed on a form prescribed by DASA. The evaluation must be signed and dated by both the evaluator and the Petitioner.

evaluation must be completed on a form prescribed by the Department. The update evaluation must be completed by a program in accordance with the provisions of Section 1001.440(a)(6)(A) of this Subpart. "Alcohol and Drug Evaluation (Update)" means a typewritten report which conforms to standards established by the Department, specified in Section 1001.440(a)(6)(B) of this Subpart.

educational program concerning the effects of alconol-drugs on drivers motor vehicles, which conforms to the standards established by "Alcohol and Drug Related Driver Remedial Program" means DASA. (See 77 Ill. Adm. Code Subpart D) (0.025) +0.025 at "Alcohol Setpoint" means the minimum or nominal Brad which a device is set to lock a vehicle's squition.

chemical personne; to **0**3 "BAC" means blood alconol concentration as determined by test administered by police authorities or medical measure the concentration of alcohol in the bloodstream.

in any "BAIID Eligible Petitioner" means an Illinois resident who is

NOTICE OF EMERGENCY AMENDMENT(S)

- one of the following populations:
- Any recidivist as defined in this Subpart;
 Any individual classified Level III Dependent with at least six (6) but less than theire (12) months of abstinence from alcohol

and/or drugs:

- Any individual with three (3) DUI dispositions if:

 A) The last DUI arrest coursed within the three (3) year
 period preceding the dare of the hearing.
 - n, the last but arrest occurred within the three (3) y period preceding the dare of the hearing; or BAC B) Any one of the DUI dispositions involved a BrAC or BAC

0.20 or more;

4) Any intriduction with four (1) on once DUI dispositions. ADLD Elistic Restrictor (nail not include approach in the above propulations if the ALID Elistic Restrictor and a nearon and was sentenced a Top prior to May 10, 1994, and was remeably stand a SDD_TOP as a result of the menting propulation of section in the propulation of the section of the propulation of the section of the propulation of the section of the sectio

"BAIID Permittee" means a BAIID Eligible Petitioner sho has been issued a RDP as a result of a nearing conducted under the Program.

"Seesh Annol Jinticon Longlook Devices (BAID)" seans a mechanical unit that is installed in a venice of second the taxon of a Bac feet prior to the account of a continue of the unit cheeses a Bac feet cestical of a continue of the unit value of the cest cestic of our the account of a continue of the unit value of the venice interior of seat the outcome of the cestic of the cestic of the account account of the unit of the unit value of the problem of the account of the unit of companies of the account of the unit of t

"BrAC" means the w/v breath alcohol concentration.

"Certificate" means evidence issued by the manufacturer to an individual as proof of his authority and conserved to the sourcecy neck, calibrate and or maintean ignition intellor devices.

"Certified Controlled Peference Sample" means a suitable reference of known ethyl alcohol concentration.

Citicomential wass an overly, conscious effort to bypass the aarin weather providing suppose the properties and the conscious effort and the constitution of the const

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"Clinical impression" means a qualified professional's (See definition of "Alcohol or Drug Evaluation") interpretation of specific data, which is obtained during the treatment process, regarding the effectiveness of treatment provided.

 $\mathrm{DASA}^{\mathsf{A}}$ means the Illinois Department of Alcoholism and Substance Abuse.

"Department" means the Department of Administrative Hearings of the Office of the Secretary of State.

"Designate Driver Remains or Sensitivations or special season and alcohol or drog evaluation, an alcohol or drog related driver central program, and ablosh or fully insentant program, and ablosh or fully insentant program, increded to discovered approximation, or any stillar program increded to discovere drops cannot a fear-index or stilluring problems are videnced drog the pretinoner's Abertack. [See Sections 5-25](o) and \$5.26(c)] of the Code

"Device" means a breath alobed "gaition interlock device approved by the Secretary after consultation with DPH.

the Secretary afrem consultation with DPH.

"Director" means the Director or Acting Director of the Department.

"Documentario, no é Abstinance" sema restinony addouceration, no fee Corn of adilabris, letters, stor, from individuals acco estellar, scenario estilativa con estellar, sequence est per Pertitione est, souses similations orbat, septicipate, co-occess, roomesta; verifying that to the best of neit mondage the Pertitioner has been assistant from althoubuldungs for a specified period of time.

"Otiver License Compett is an assessment, among signatory states union more from more from more signatory tasts on control more from the properties of the state of the state

"DPH" means the Illinois Department of Public Health.

"DUI" means driving under the influence.

"DUI Signatition has any conviction or separation for CUT, no may conviction of sections thy conviction of sections form in the section of th

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Employ" or "Employed" or "Employment" shall all relate to activity compensation to support oneself or one's dependents as well as activities ordered by a court in connection with a sentence which includes the completion of a term of community service. "Evaluator" means any person licensed to conduct an alcohol and drug evaluation by DASA. (See 77 Ill. Adm. Code 2056.1) A treatment provider may be considered an evaluator for the purpose of completing an updated symbotion in accordance with Section 1001.440(a)(6)(A) of this Subpart. Falince -> Successfully Complete a Rolling Refeet" means anvitime the BAITD Perhitses registers a BEAC Feeding of 1.05 or more on a Folling seese to falia; 10 metrom a rolling reges within has been requested.

"Fee" neans the statutory fees for restricted driving permits or reinstatement of driving privileges, as specified in Section 6-118 of

'Hearing" means informal hearings and/or formal hearings.

"Initial Monitor Report" means the monitor report obtained or required obtained within the first thirty (30) days after initial installarion of the Bevice. Obternand-and-anaryzing-thiss-report----からないのは、のかーのなーなりに、このでしまって、このできるとの日本ののできるのできるとのできることのでしょうない。 なのをしておきしならくとのをしてののはしておなってもなられたしたがらならなってものできないとなってものしたがらではののです。

(日間はおけれたの所が行われたけ」のおの下付の公司 "Installer" means an individual trained and--certified by a BAIID manufacture: to install and/or maintain a device and employed by a recognized service center, vendor or manufacturer. "JDP" means a Judicial Driving Permit, as defined by Section 6-206.1 of the Code which may be ordered by the court of venue to "first offenders" as defined in Section 11-501.1 of the Code.

alcohol and drug evaluation assigned to a Petitioner who has no prior conviction or court ordered supervision for DUI or statutory summary suspension or reckless driving conviction reduced from DUI, and a most current arrest for DUI, and no other symptoms of substance abuse or dependence. (See 77 III. Adm. Code 2056.310) z - Minimal Risk' means the classification resulting from an blood alcohol concentration (BAC) of less than .15 as a result of the "Level

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II - Moderate Risk" means the classification resulting from an alcohol and drug evaluation assigned to a Petitioner who has no prior conviction or court ordered supervision for DUI or statutory summary suspension or reckless driving conviction reduced from DUI and a blood testing as a result of the most current arrest for DUI, and no other symptoms of substance abuse or dependence. (See 77 Ill, Adm. Code alcohol concentration (BAC) of .15 to .19 or a refusal of chemical

"Level II - Significant Risk" means the classification resulting from an alcohol and drug evaluation assigned to a Petitioner who has a prior conviction or court ordered supervision for DUI or statutory summary suspension or reckless driving conviction reduced from BUI result of the most current arrest for DUI and/or other symptoms of and/or a blood alconol concentration (BAC) of .20 or higher as substance abuse. (See 77 Ill. Adm. Code 2056.310)

evel III - High Risk" means the classification resulting from an symptoms of substance dependence (regardless of driving record), alcohol and drug evaluation assigned to a Petitioner with:

reduced from JUI or any combination thereof resulting from separate incidents, within the ten (10) year period prior to the statutory summary suspensions or reckless driving convictions hereinafter referred to as Sevel III Non Dependent. (See 77 III. hereinafter referred to as a Level III Dependent; and/or two prior convictions or court ordered supervisions for date of the most current (third or subsequent) Adm. Code 2056.310) "Lockout" means the device must prevent engine ignition by a virtual lock with 90% certainty or near absolute lock at 99.5% certainty, unless it is serviced or recalibrated. the maker of a BAIID or its authorized epresentative. "Manufacturer"

Or medical condition documented in writing by a physician that consistently interferes with the normal operation of the BAIID by the abilio Esgmittee dor mich ins Gepariment may authorise a rodification of the Balio a its broataming to secondodate the condition virious securificans the integer of the anilo Program. Medical or Physical BAIID Medification" means a demonstrated paysical

time of an inspection of one device which shall include at a minimum the number of successful and unsuccessful attempts to start the "Monitor Peport" means an electronic report or a printout of the activity of a device optained by the manufacturer or installer at the vehicle and rolling retests, including each date, time, and BrAC

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reading, and any evidence of tampering or circumvention of the device.

"National Driver Register" means a central index, maintained by the U.S. Department of Transportation, of individuals whose driving privileges are density arminated or withdrawn, as reported by the States' driver licensing authorities.

"Office" means the Office of the Secretary of State and not any particular Department, address, or location.

Pergenent clockout again the feature of the Sall than goards.

Salpe of the five fill Mays and requires described for the salt of the salt

Retitioner is the party who seeks or applies for relief from the Office from the suspension, removation, cancellation, or denial of Wannick Code Griving privileges pursuant to the provisions of the Illinois Venicle Code

"Program" means the BAIID Pilot Program administered by the Secretary.

"RDP" means a restricted driving permit, as defined by Section 1-173.1 of the Code and limited as specified in Sections 6-205(c) and 6-206(c) 30 the Code.

 "Reinstatement" nears the restoration of driving privileges entitling the Petitioner to apply for a new driver's license in accordance with the requirement of the Illinois Venicle Code and the Rules promulated thereander. "Respondent" means a person against whom a complaint or petition is filled, or who, by reason of interest in the subject matter of a

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petition of application or the relief sought therein, is made a Respondent or to whom an order or complaint is directed by the Department initiating a proceeding.

"Wolling Retos" means that feature of the device that requires the direct to take another SBO (seeilly before the little less to stact the wholes, egentlistic to stact the wholes, egentlistic to the stack the stack of the stac

Secretary" means the illinois Secretary of State.

"Self-help Program" means an independent non-profit organization computed of individuals who hold voluntary meetings specifically to help eaten meaber to achieve and/or maintain abstinence from alcohol and/or other funds.

Service of impaction fountifications and that teach of the device when devices that address or notifies the MAID Persistence of the device when the device of the device o

"Service Center" means a dealer, distributor, supplier, or other business engaged in the installation of devices.

"Significant Other" seams any person with wnom an individual is experiencing an imposing older sexuolition trace experiencing managed of the individual's established life style *e.g. spouse, inter family member, employer, co-vorser, cleryy sember, roomset.

"Stressed" means conditions such as temperature extremes, vibration, and power variability.

"Support Seconty Program hasms appetite destrites within a recovering alcoholic chemically dependent paran has incorporated and halfver life style to help upport hashe conclude bacterose con alcohol and other Sings. This may include, but is not lineed to mattering in a self-tele prop of Alchoholics ampropuls, seconts Anonymous, seci.); a professional support group, or regulativy and

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frequently engaging in religious activities which have a distinct and positive effect on an individual's continued abstinence. Any activity must be clearly identified and verified by proper documentation independent from an individual's self report (such as indicated in Section 1001.440(e) through (1) of this Part). The Hearing Officer shall determine the viability of the activity as a means of supporting and its relationship to the individual's ability to remain abstinent continued abstinence, taking into account all the evidence brought forward at the hearing.

otherwise disconnect the BAIID Brom-res-power-source-and-thereby-milow "Tampering" means an overt, conscious attempt to physicatiy disable or a-person-4xen-a-prad-above-the-abonek-serperat-to-sespent-to-sespent-

period of twenty-four hours any time the device registers three (3) & "Twenty-four Hour Lockout" means that feature of the device that causes a venicle with the device installed to become inoperable for BrAC readings of 0.05 or more within a thirty (30) minute period. "Undue Hardship" as it relates to educational pursuits means an extreme Sifficulty in getting to and from the location of the accredited education course, due to the loss of driving privileges. It is nore than mere inconvenience to the Petitioner, and pertains only to the Petitioner. All other reasonable means of transportation must be unavailable to the Petitioner. An undue hardship is not snown by the mere fact that the driving privileges are suspended or revoked. in getting

on the Petitioner and pertains only to the Petitioner. All other "Undue Hardship" relating to employment means, as used in the context of Sections 5-205(c) and 6-206(c)3 of the Code an extreme difficulty in regard to getting to or from a Petitioner's place of employment or driving privileges. It is more than mere inconvenience on a route during employment; e.g., as delivery person, means of transportation must be unavailable to Peritioner. An undue nardship is not shown by the mere fact that the suspension, revocation, or cancellation of driving privileges are suspended or revoked. Petitioner's to operate because of reasonable

"Undue Hardship" as it relates to necessary medical care means an extreme difficulty in regard to getting to and from a location where alcoholish chemical dependency, where a Petitioner is participating in an ongoing support program as prescribed or recommended by a physician It means more than mere inconvenience. There must be no other reasonable alternative means of transportation available. An undue hardship is not demonstrated by or a member of his/her immediate family receives examinations, therapy or treatment, etc., prescribed or recommended by a physician and, in the case of a diagnosis or clinical impression of other qualified professional. Petitioner

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the mere fact that the Petitioner's driving privileges are suspended or revoked.

"Unsuccessful Attempt To Start The Vehicle" means anytime the BALID Pemittee registers a BrAC reading of 0.025 or more when attempting to

Pilot Program, means every apparatus in, upon or by which any perhon or property is or may be transported or drawn upon a hydrway which is self-propelled, except for apparatuses moved solely by human power, "Vehicle" for purposes of the Breath Alcohol Ignition Interlock motorized wheelchairs, and motorcycles.

"Vendor" means a retail or wholesale supplier of a device, and may include a service center. "W/V" means weight of alcohol in the volume of breath based upon grams of alcohol per 210 liters of breath.

effective (Source: Emergency amendment at 20 III. Reg. 9355. III. 1996, for a maximum of 150 days)

Section 1001.441 Breath Alcohol Ignition Interlock Device Pilot Program

- RDP(s) to a petitioner conditioned upon the use of a Breath Alcohol Ignition Interlock Device (BAIID). The Secretary finds that a BAIID and welfare and that the issuance of driving privileges to such a petitioner's driving performance for a substantial portion of the period for which the RDP has been issued. The pilot program shall the effectiveness, reliability and dependability of the BALID and/or its vendors, and will commence with the effective date of these rules and-terminate-no-ister-than-June-397 A pilot program is hereby established to integrate the issuance of a driving record that he/she poses a serious threat to the public safety be conditioned upon the use of the BAIID to monitor is one who has demonstrated through Eligible Petitioner also be used person should a)
- The Secretary shall notify any BAIID Eligible Petitioner who requests limited written notification. Any sallD Sligible Petitioner who requests additional information shall be given information regarding all of the provisions and conditions of the program, the availability of the device and the may be installation, costs, maintenance, and other a hearing of the requirements of the program. Notification accomplished in one of the following ways, though not thereto: informal nearing officer; phone contact; contact for approved manufacturers or installers to information regarding pertinent information. thereto: informal (q

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- All hestings involving a stall D Sinjelbe bettlicher seeking dittuing \$4.54 stall be formal heatings. Any setesion or modification of a ppp sessed index the proving as the formal heating. Any heating involving a BAID Silphe Petitioner shall be conducted as any other heating under this Part and all other applicable standards shall apoly.
- of The Sections shall like a RDP to a SAITD Elithe Petitioner if through the hearing process, the petitioner is detectined to meet all of the equivements if Section [Boll, 100 of this Event and installs and utilizes a detice in any motor vehicle operated by the SAITD Elithe Petitioner as degined by the RDP Elithe SAITD Elithe Petitioner as degined by the RDP Elithe SAITD Elithe Petitioner as degined by the RDP Elithe SAITD Elithe Petitioner as degined by the RDP Elithe SAITD Elithe Petitioner as only as a Prior to the taking of evidence at the hearing) of as soon as a
 - e) Prior to the taking of evidence at the hearing, or as soor Perilioner is determined to be BAIID Eligible:
- 1) The Secretary that insee sure that the BAID Digitible pertitions understands: all of the provisions and conditions of the programs that cockens a POP the BAID Eligible Pertitions must maintailly meet all of the equiverents of Section 1001:440 of this Fart and intent) and utilizer the devices the perticipation in the program does not quarantee issuance of a DDP; and thee all adult Digitions with the device are the responsibility of the BAID Eligible Pertilioner; and only
- 2) The BAITD Eligible Peritions shall advise the Secesary that herebe understands all of the provisions and conditions of the program and whenter the the monoses to participate in the program. If the BAITD Eligible Sectioner is unvaling to use the device, herits shall be advised that no called will be granted and no
- After rating vill be heid.
 After the hearing vil be heid.
 the rating vill be heid.
 the rating villed and make a recommendation as in any other hearing which hearing which hearing which hearing h
 - under this Part.

 1) If the hearing offlicer does not determine that the relief requested should be granted, an order denying relief shall be
- prepared to the formation of the appropriate to provide the property of the pr
 - 9) After the issuance of an order granting a RBD bunder this program, in addition to the offer content program and addition to the offer content program in addition to the offer content to the offer cont

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- Instance of the RDP without the device installed only for the purcease of installed only and installed only ins
- h) Any BALID Eligible Petitioner receiving a RDP under this program must comply with the following requirements:
 - Operate only a ventical silving an installed, operating device authority of the Secretary Whether the ventical is owned, rented, leased, loaned, or otherwise in the possession of the BAID Permittee Baleguiled by the RDP issued under the program
 - 2) Take the vertice with the device installed to the Associations or an intelligence or intelligence or intelligence or the appropriate portion of the device on intelligence with the first hirty (10) days for an intial monitor report to help the ANLID Permittee learn now to correctly notion or sport to help the ANLID Permittee learn now to correctly use and additional and the anticological days not longer than every sixty (6) days for the purposes of delineatin and help a monitor expect of the assurice property property of the anticological property of property and and to the Secretary by the assurice property of property or an experience of the property of the assurice or property or an expectation and help assured to the Secretary by the assurance or property or an experience of the property of the assurance or an experience of the assurance or an experience or an experience
- Take the vehicle with the device installed to the manufacturer or installer or send the appropriate portion of the device to the manufacturer for a monitor report within Elve (5) working days

installer.

- after any service or inspection notification.
 4) Wainsain a viounal of versus surconding unsuccessful attempts to start the weblick failures to successfully complete a rolling tetest, or any problems with the device.
- I upon seebly or nonzeeple of the month reports, the Secretary shall in upon seebly or homeseple of the month or series which shall be retrieved the rebuild with the late of the rebuild with the decire in for that's monter expect(s) or sand one appropriate portion of the device to the manufactures for tankly monter reports or manufactures for tankly monter reports or the manufacture for the appropriate for the device or the manufactures for tankly monter reports.
- device in the time's promise reportis) or sand the appophists protion of the device to the annufacture for time's month of the device to the annufacture for time's month of the device is not taken in for a monthor report; within the Lib device is not taken in for a monthor report within the Lib device is not taken in the letter, the large time in an III be annufacture to the large time and time and the large time and time a
 - Por Alf ASID Permittee wince control reportion innovative (5) or more innovative statute or statt the vestice or a calline to successfully complete a colling cerest, net-emperimentallyor successfully complete a colling cerest, net-emperimentallyer control or complete and colling cerest, net control or effective control or colling cerest colling cerest four a manifest colling colling cerest colling cerest four a manifest cerest to the SLID Semittee indicating that four a manifest cerest to the SLID Semittee indicating that

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cancek-the-RBP-or-the-immediate-eameektation-of-the--RBP--tf--the SAREDITINE THE PRINCIPLE OF THE PROPERTY OF TH successfully complete a rolling retest will result in the Secretary sending a letter to the BAIID Permittee asking for an the failure to sucessiully complete a rolling retest or temperting with any extention with the fevice - after - the - thibtel - monitor explanation of the unsuccessful attempts to start the vehicle or

monitor report period, send the BAIID Permittee a letter asking lays after the date of the Secretary's letter and it reasonably issures the Secretary that no violation occurred, no further If a response is not received within wenty-one (21) days or does not reasonably assure the Secretary, ne RDP will be cancelled the BAREB-Permantec-shark-be--treed--th For any BAIID Permittee whose monitor report(s) shows five (5) or more unsuccessful attempts to start the vehicle after the initial venicle device. If a response is received within twenty-one (21) for an explanation of the unsuccessful attempts to start 20月一日一日の日日ははは一十日一日の十日の日日はは20年一七日・1日の一日日の日上日一日の一日日日の日子中日日 action will be taxen. - popularianiani

For any SALID Permittee whose monitor report(s) snow a failure to successfully complete a rolling retest, or-any-tampering-with-or period, send the BAIID Permittee a letter asking for an explanation of the failure to successfully complete a rolling refest. If a response is geceived within twenty-one (21) days after the date of the Segretary's letter and it reasonably assures the Secretary that no violation occurred, no further action will be taken. If a response is not received within twenty-one (21) days or does not reasonable assure the Secretary, careumyention-of-she-devicey after the initial monitor 7

the RDP will be cancelled remediately-cancel-the-RBP(s); For any BALID Permittee woose monitor report(s) shows a BrAC provision contained nerein, there shall arise a rebuttable presumption that the BAIID Fermittee consumed alcoholic of the Secretary's letter and it reasonably assures the Secretary hat the BALID Permitted did not consume alcoholic beverages, no reading of 0.05 or more or a pattern of BrAC readings consistent with the use of alcoholic severages, regardless of any other presumption may weren--smark cesult in the mmediate cancellation of one RDP of the BAIID Premittee is required to abstain from alconol, claimed abstinence at the time the nearing, or agreed at the nearing not to consume alcohol Foricle. In such case, the Secretary shall send a Letter of or an explanation of the BrAC reading or the pattern of a response is received within twenty-one (21) days after the date urther action will be taken. If a response is not received and readings consistent with the use of alconolic beverages. while attempting the point of attaining a BrAC of stive a venicle. peverages. 2)

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be cancelled Fte-presumpersm-may-be within twenty-one (21) days or does not reasonably assure RDP will

- immediately cancel the 3DP and authorize the immediate 近年にいる水・中でもなるのであり、のの一つのになりたのでもし、ボートのボートのでしてなるのでは、大きなななのではなってなるとしなられてなるのです。 report(s) snow any tempering with or unauthorized circumvention of the device or physical inspection by an installer shows any ampering with or unauthorized circumvention of the device shall removal/deinstallation of one device. Fer--any--BAFEB--Permittee かられーからかりのは、からかからならののの一つのかったの一のかなかしのなかしなっていない。 かんなかしかんなかしのならしがったのだな 14-150t-198814484-1421-1218-1228-1448-1528-1-1844-1-1844-1-4848-1-04-1-4088-1-30t 中のサービリー十分したいからのは、一つなり、一つなり、一つなりなり、一つなり、一つなり、一つなりののは、一人人のなりのななりなるない。 子供 - - ナリスキーキケナムのアフェーのからては、ナンストールンを一切を担当しているとはないない。 any BAIID Permittee whose initial monitor (9
- Receipt of any one of the following snall also be grounds for Any law enforcement report showing operation of a vehicle by a immediate cancellation of a RDP issued under this program:
 - BAIID Permittee without a device as required by the RDP issued under this program. The law enforcement officer shall, at the time of the stop, confiscate the RDP and send it, or a copy
 - Any law enforcement arrest/stop involving a fai.9d rolling retest it, along with the report, to the Secretary;
- failure to take a rolling retest if the officer's report The law enforcement officer shall, at the time Original is submitted to the court, along with a law enforcement indicates the use of alcoholic beverages and/or drugs by of the stop, confiscate the RDP and send it or a copy, BAIID Permittee. or

report to the Secretary;

- Written notification werefeasten from a manufacturer/installer on a removal-deinstallation report form staring that their device percentage to statistical to a Permittee a section of battattee besides and/or is no longer being utilized by the Permittee, as required by subsection (d) abovez-
- Any law enforcement report involving a JUI or otner alcohol Any SAIID Permittee whose RDP issued under this program is cancelled related arrest/stop. 2
- as provided for in this Section may request a hearing to contest the cancellation within sixty (60) days from the effective date of the Such a hearing will be scheduled and held on an cancellation.

NOTICE OF EMERGENCY AMENDMENT(S)

hearing under this Part. Any BAIID Permittee whose RDP is cancelled under the provisions of subsection (1)(5) of this Section who admits the cancellation. Any BAIID Permittee whose RDP issued under this program is cancelled The hearing will be conducted as any other formal consuming alcoholic beverages may not request a hearing to contest expedited basis.

any reason in this Section shall not be granted another hearing for any type of driving relief for one (1) year from the date of the cancellation, except to contest the cancellation as provided in ADDRESSION STATEMENT OF STATEME sussection (k) above. BAIID Permittees who voluntarily date of cancellation.

Any formal order entered which grants the issuance of a RDP under this program shall, in addition to all other requirements, clearly indicate the following: î

That the RDP is issued under the program;

That the BAIID Permittee is aware of the program and all of its conditions and terms and accepts those conditions and terms as conditions precedent to the issuance of the RDP.

Any RDF(s) issued under this program shall, in addition to all other

That the permit is issued under the program, and when a vehicle requirements, clearly indicate:

Operated by a BAIID Permittee must be equipped with an installed, That the ordersions of the RDP also allow the BAIID Permittee to drive to and from the manufacturer or installer for the purposes the RDP, or obtaining monitor reports, and any of installing the device within fourteen (14) days operating device;

Secretary authorizes DPH to check and monitor the manufacturers installers as to their calibration and monitor report procedures. necessary servicing. a

and any other information relative to the performance, dependability, reliability, and effectiveness of the use of the device. Such reports Secretary shall gather all monitor reports, any reports from DPH may be used as evidence at any administrative hearing conducted by the Secretary under onis Part.

The Secretary may make a medical or physical BAIID modification for effective (Source: Emergency amendment at 20 Ill. Reg. RDPs issued under the program. 얾

1001.442 Manufacturer's Responsibilities; Approval for Analyzing Alcohol Content of Breath; DPH Inspections; Disqualification of a Manufacturer; Designation and Assignment of Regions Sortion

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, for a maximum of 150 days)

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- million aggregate total. The Liability insurance shall include coverage for defects in product design and materials as well as The proof of insurance shall include a statement from the insurance company that thirty (30) days notice will be given to minimum liability limits of \$1 million per occurrence and \$3 manufacturing, calibration, installation, and removal of devices. The manufacturer shall carry product liability insurance the Secretary and DPH pefore cancellation of the insurance; The responsibilities of a device manufacturer shall include:
- officers, from all claims, demands, actions and costs vnatsoever The manufacturer shall indemnify and hold harmless the State, the Secretary and its officers, employees and agents, and DPH and its which may arise, directly or indirectly, out of any act or omission by the manufacturer relating to the installation,
- The manufacturer of a device shall develop separate detailed written instructions regarding the installation, maintenance and service, repair, use or removal of a device; the normal operation of the device;
 - Customer The manufacturer shall provide a training program provide an service question/complaint notline; manufacturer shall
- individual operating the device on operation, maintenance, and safeguards against improper operations. The nanufacturer snail
- The manufacturer shall provide informational materials to the Secretary for distribution to BAIID Eligible Petitioners: failed readings or problems with the device; 9
 - This support shall be in effect juring the period the device is required to be installed in a motor "enicle; ensure responsibility for support of service within a maximum of The manufacturer shall provide a warranty of performance forty-eight (48) hours after notification of a request Service compratmt.
- The manufacturer shall provide expert or other required testimony it should become necessary for the incurred in providing such testimony. Failure to provide this in any civil or criminal proceedings or administrative nearings as to the method of manufacture of the device, now said device functionsy-and-the-restand-special protocom--by---shron---has--device---Secretary or DPH to provide testimony in any civil or criminal procedures involving the approval or use of the device, the manufacturer shall reimburse the Secretary or DPH for any costs reimbursement shall result in withdrawal of approval for the In the event 6
- The leases, fee schedules, installation verification forms, 6

NOTICE OF EMERGENCY AMENDMENT(S)

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- destributed of the state of the
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- C) When the only to find that the sent the control of the tense by the china to the control of t

- | 13) Any various assets controlled most submit undiction reports to the Section 1 of the S
 - SECULOIS 2009 C. SIL MEASURE SECULES C. SECULE SECULDARY SECULDS SECULDS SECURD SECURIOR SECURD SECU
- 13) The naturacturer shall provide to the Secretary any available physical evidence of tampering with or circumvention of the device. The Secretary shall notify DBH of any such evidence upon

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14) The manufacturer shall service all BAIID Fermittees in their designated geographic region under standards established for that region as set forth in Appendix A. Abproval of BAIIDs for analyzing the alcohol content of breath:

request;

- b) Approved C SAXIOS for analyzing the actional content of Eventing
 1) Fortilinary approval of a device may be granted by the Secretary,
 1) Fortilinary approval of a device may be granted by the Secretary,
 1) Fortilinary and the state of mationally recognized entities of laboratory see facility regulations destribly elegible destribled laboratory see facility regulations for Beath Alcohol Equitor Interface Owniese (TATALS) spoulded to Beath Alcohol Editors in Interface Owniese (TATALS) spoulded by the Nettonal Engineery Tatals Safety administration, U.S. Department of Tenaboration, 10 S. 7 Na S. S. Manharoton, D.C., 20590, (2021) Services of Secretary April 7, 1992 (no suberquent
- dates or editions), except for:

 A) ...4.5, Power, if the device is not designed to be operated from the outset. So the device is not B) 1.5.2.5, Extreme Operating Range, if the device is not
- designed to be operated below 20°C and above +70°C. (2.3.5. Aam Up. if the device is not designed to be operated below -20°C.
 - D) 2.5.5. Temperature Package, if the device is not designed to be 5.5.5. Temperature Tackage, if the device is not designed to
- 2) Within initionals (18) especeenvieth months, Cinal approval of a develope may be given by you of stand by the Stand by the Stand by the Stand developed by the DRA and serve based on a list destring procedol developed by the DRA and serve of the department establish from the program and serve of the department establish from the program of the standard of the developed by the DRA and serve of the department of the standard of the developed by the DRA and serve of the developed by the DRA and serve of the developed by the DRA and serve of the DRA and the DRA and
 - rate 20.01 in unstressed conditions or 20.02 in stressed conditions or 20.02 in stressed conditions.

 4) Any device to be approved shall be designed and constructed with
- an alcount sepont of 0.1238 4411 tequire the operator of the weblies to submit to a rolling retest at a insident time while to submit to a rolling retest at a insident time while five (i) to different (ii) minutes after stating the wentle. Rolling retests shall continue at a tase if the (i) the first mitterfall not now of the first following the state of the (i) minutes after the first rolling retest.
 - Any device to be approved shall be designed and constructed immediately begin bolowing the norm is!
 A) The rolling refers is not performed;
- B) The BrAC readings of the rolling retest is 0.05 or more exceeds-3-94;
- O) Tapaching or Circumention artispic are described.

 7) The device shall be required to have perment loccost five (5) days after the Service or inspection Notification if it is not service or calibration shall be sizen on the device shall device the service in the following haves: anyther the device statistics.

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NOTICE OF EMERGENCY AMENDMENT(S)

minute period. Eive (5) or more unsuccessful attempts to start the ventate after the initial monitor report; to notify BAIID Permittee of the initial monitor report; a failure to successfully complete a colling retest; after any attempted ampering or circumvention; every sixty (60) days after the three (3) Brac readings of .05 or more within a thirty (30) Permittee of the

- anytime the BAIID Permittee registers three (3) a BrAC The device snall be required to have Twenty-Four (24) Hour initial monitor report. Lockout
- readings of 0.05 or more githin a thirty (30) minute period. Any device to be approved small provide for calibration at least once every sixty (60) days using a wet bath simulator or other approved equivalent procedure; ie., dry qas standard.
- Any manufacturer/service center/vendor who sells, rents, and/or Secretary and-DPH all such sales, rentals, and/or leases listing the installer, the installer's location, the make, serial number of the device; the make and model of the vehicle it installed in. and 'TN number of the vehicle within fifteen (15) days en-m monthly-tasks using an agreed upon electronic transfer medium and format. The Secretary shall provide a copy of the information to leases ignition interlock devices in illinois shall report to the the name of the individual, his or her driver's license number,
 - 11) Any device which is not provided a preliminary approval or a final approval shall be re-tested at the request of the
- 12) A manufacturer may apply for preliminary approval of a device by submitting a written request to the Secretary and DPH certifying manufacturer but not more often than once in a given year. the device:
 - Does not impede the safe operation of a vehicle. G W

 - Minimizes opportunities to bypass the device. 8

Performs accurate, y and reliably under normal conditions.

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- Prevents a BAIID Permittee from starting a vehicle when the Satisfies the requirements for certification set forth in BAIID Permittee has a prohibited BrAC; ie- > 0.025 9-82. this Section.
- the following g o written request shall include all information: (3)
 - The name and model number of the device. A separate request The name and address of the manufacturer of the device.
- description of the device, including complete instructions for installation, operation, service, repair is required for each model or type of device. A detailed
- Complete technical specifications describing the device's accuracy, reliability, security, data collection and and removal.

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A complete and accurate copy of data from a state or recording, tamper detection, and environmental features.

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NOTICE OF EMERGENCY AMENDMENT(S) SECRETARY OF STATE

nationally recognized certified laboratory test facility or exceed the the device's ability to meet

- A description of the manufacturer's present and two (2) year plan for distribution and service in Illinois. specifications in this Section.
- A certification from the manufacturer that it will accept service all BAIID Permittees residing in the designated the region assigned as a result of a random draw and will region under standards established for that region. 6
 - preliminary approval or disapproval of a device no later than thirty (30) days after receipt of all required required Secretary, in consultation with DPH, snail materials and certifications.
 - The manufacturer shally-wathin-three-(8)-months-after-presiminary supprovaty provide the Secretary and BEST-second-and substantage - Benedal Properties
 - A list of all locations in Illinois where the device may be purchase, rented, leased, installed, removed, serviced, calibrated, accuracy checked, inspected and monitored in an agreed upon format. The manufacturer shall Secretary of any new locations or any locations voice are closed; notify the repaired,
- Five (5) production devices of which three (3) will be used for field testing; and 3)
- Training for the Secretary's employees and DPH's inspectors and program administrator at no cost.
 - The manufacturer shall, at no cost to the State of Illinois, install the selected devices for field testing in the vehicles evaluate each device to ensure compliance with the requirements to, repeated testing of alcohol-laden samples, filtered provided by the Secretary and DPH. DPH snall independently are in this Section. The evaluation criteria include, but samples, circumvention attempts and tampering. limited
- 17) A list of approved devices shall be maintained by the Secretary. DPH Inspections
 - noncompliance so reported. The manufacturer shall report in writing of the devices, installers, service providers, or manufacturers to determine if they If the independent inspection indicates a noncompliance with the rules, DPH snall notify the to the Secretary and-SPH within thirty (30) days after receiving to correct notification of the noncompliance any corrective actions taken. Secretary and he snall sequire the manufacturer OPH may conduct independent inspections on any are in compliance with these sules.
 - The Secretary shall disqualify a manufacturer or installer from and a thirty (30) day opportunity to come into compliance in any of the following participation in the program upon written notification Disqualification of a Manufacturer

NOTICE OF EMERGENCY AMENDMENT(S)

- through investigation, that the SAIID Permittee did take the vehicle with the installed device to the manufacturer or installer or sent the appropriate portion of the device to the manufacturer for a monitor report in a timely manner, a warning notification shall be sent to the manufacturer or installer indicating that a second Failure to submit monitor reports in a timely manner as provided such occurrence will result in cancellation of participation; If the Secretary finds, subsection (a)(11).
 - Failure to comply with all of the duties and obligations Failure to maintain liability insurance as required;
- The Secretary shall by a random draw designate a defined geographic region for each approved manufacturer participating in the program. Each manufacturer shall be responsible for establishing installation service sites within its assigned region to service BAIID Permittees residing in said region under standards established for Designation and Assignment of Regions contained in this Part. 6

, effective (Source: Emergency amendment at 20 III, Reg. 9355

that region as set forth in Appendix A.

Section 1001.443 Installer's Responsibilities; Fritial-Certification; Renewaty

Fermination,-Revocation-and-Benial-of-Instalies-Gestification EMERGENCY

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- aggregree total. The Liability insurance shall include coverage of insurance shall include a statement from the minimim Sl million per occurrence and \$3 million for defects in calibration, installation, and removal of devices. insurance company that thirty (30) days notice will be given An installer shall carry liability insurance with The responsibilities of installers of BAIID shall include: liability limits of The proof
 - An installer shall indemnify and hold harmless the State, the officers, from all claims, demands, actions, and costs whatsoever which may arise, directly or indurectly, out of any act or omission by one installer relating to the installation, service, its officers, employees, agents, DPH and the Secretary and DPH before cancellation of the insurance; Secretary and
- The installer shall have all tools, test equipment and manuals venicles condition installation. These-thttbuder-out-are-not-thatted-toneeded to install devices and screen motor electrical repair, use or removal of a device; mechanical and 4 (08108008 33
 - Wooks-to-make-shertnadah-nonsenthoss-ks-a-acompetent-makanes **できてのひのでなって、このなるのでので、こので、このなるのななななななななななななななななない。 メイナセガーカッカル コークタン・サイク**
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 - ひれつびのは水ダーとののものかかったのとくたのののク
 - The installer shall provide adequate security measures to prevent Assessment and deviate distributions and the second of the the installer small appropriately install devices on motor vehicles taking into account each motor vehicle's mechanical and electrical condition, following accepted trade standards and the device manufacturer's instructions, and correcting conditions (such as low battery or alternator voltage, or engine stalling frequent enough to require additional breath tests) which the SALID Pemittee's responsibility to repair the venicle of any condition exists that would prevent the proper functioning of the The installer should inform the BAIID Permittee of the matertais (tamper seals or installation instructions); interfere with the proper functioning of the device. access 7 53
 - The installer shall not install devices in a manner that could problem that exists, but should not be responsible for repairing (9
 - adversely affect the performance of the device or impede the safe The installer shall verify that a device is functioning properly operation of the motor vehicle;
 - The installer shall restore a motor vehicle to its original after it has been installed in the motor vehicle: 6
- condition when a device is removed. All severed wires must be permanently reconnected and insulated with heat shrink tubing or The installer shall provide a warranty of performance to assure responsibility for support of service within a maximum of equivalent: and 6
 - forty-eight (48) hours after notification of a request for service complaint. This support shall be in effect during the period the device is required to be installed in a motor vehicle.
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(Source: DamingErcy 1898edment at 20 III. Reg. 9355 = , effective

NOTICE OF EMERGENCY AMENDMENT(S)

Section 1001.APPENDIX A BAIID Regions and Minimum Installation/Service Center Site Location Guidelines

PMERGENCY

- The State of Illinois is divided into four (4) BAIID regions as (8
- 1) Region 1 shall be comprised of the Counties of Boone, Bureau, Carroll, DeKalb, Grundy, Jo Davies, Kendall, LaSalle, Lake, Lee, Livingston, McHenry, Ogle, Stephenson, Whiteside, Winnebago, and in Cook County the municipalities/ unincomposated areas of Alsip, Bedford Park, Bellwood, Berkeley, Berwyn, Bridgeview, Broadview, LaGrange, LaGrange Park, Lemont, Lyons, Merrionette Martenette Park, Maywood, Mc Clok, Melrose Park, North Riverside Oak Lawn, Oak Park, Orland Hills, Orland Park, Palos Heights, Palos Hills, Brockfield, Burbank, Chicago Ridge, Cicero, Countryside, Ebergreen Sark, Forset Park, Porest View, Rickory Hills, Hillside, Eddykins, Hometown, Indian Head Park, Ussilce, Palos Park, River Forest, Riverside, Stiokney, Stone Park, Summit, Tinley Park, Westchester, Western Springs, Willow Springs, and Worth.
 - Region 2 shall be comprised of the Counties of Adams, Brown, Mercer, Morgan, Peorla, Pike, Putnam, Rock Island, Schuyler, Scott, Stark, Warren, Woodford, and in Cook County the Clry of Calhoun, Cass, DuPage, Fulton, Greene, Mancock, Henderson, Henry, Rnox, Macoupin, Marshall, Mason, McDonough, Chicago. Jersey, 2)
- Christian, Clark, Clay, Clinton, Coles, Cumberland, De Witt, Douglas, Edgar, Effingham, Fayette, Ford, Iroquois, Jasper, Kane, Sangamon, Shelby, Tazewell, Vermillion, and in Cook County the municipalities unincorporated areas of Barrington, Barrington Hills, Des Plaines, Elk Grove Village, Elmwood Park, Franklin Park, Hanover Park, Harwood Heights, Roffman Estates, Inverness, River Grove, Rolling Meadows, Rosemont, Schaumburg, Schiller Region 3 shall be comprised of the countles of Bond, Champaign, foultrie, Platt, Mount Prospect, Niles, Norridge, Northlake, Palatine, Park Ridge, Kankakee, Icgan, Macon, McLean, Montgomery, Park, South Barrington, and Streamwood. 3
 - Union, Wabasn, Masnington, Wayne, White, Will, Williamson, and in Region 4 shall be comprised of the counties of Alexander, Crawford, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Perry, Pope, Pulaski, Randolph, Richland, Saline, St. Clair, Cock County the nunicipalities/unincorporated un-incorporated Calumet Siry, Chicago Heignts, Country Club Hills, Crestwood, Dixmoor, Joiton, East Hazel Grest, Evanston, Flossmoor, Ford Heights, Glencoe, Glenview, Glenwood, Golf, Harvey, Hazel Drest, domewood, Kenilworth, Lansing, Lincolnwood, Lynwood, Markham, Jeiferson, Jonnson, Jawrence, Madison, Marion, Massac, areas of Arlington Heignts, Blue Island, Burnham, 7

SECRETARY OF STATE

Matteson, Midlothian, Morton Grove, Northbrook, Northfield, Oak Forest, Olympia Fields, Park Forest, Phoenix, Posen, Prospect Heights, Richton Park, Riverdale, Robbins, Sauk Village, Skokie, Thornton, South Holland, South Chicago Heights, NOTICE OF EMERGENCY AMENDMENT(S)

- each region follow. In the event that a BAIID is required for a Permittee who resides note than seventy-five (75) miles from any location in the region, installation and service must be provided by a mobile unit on site for the Permittee or at another alternative The minimum installation/service center site location guidelines for Location which is acceptable to the Permittees Wilmette Wahrmette, and Winnetka. G
 - 1) Region 1: one in Lake County: one in Winnebago County; one in intersection of interstate 33 and interstate 80; and either in both Municipal District and Municipal District 5 of Grouti Court of Cook County or one in types Township: LaSalle County at a sire within a five mile radius of
 - Region 2: one in DuPage County; one in Knox County; one in Morgan County; and one in Chicago in Cook County;
- c One in either Champaign or Troana in Champaign County; and one in Rankakee County: one in Sancamon County: one in Tazewell County: Region 3: one in Efficance County; one in Mane County; one Municipal District 3 of the Circuit Sourt of Gook County;
 - Region 4: one in St. Clair County; one in Jefferson Watktamson County; one in Will County at a site within a five mile radius of the intersection of interstate 80 and U.S. Route 45; and one in Municipal District 2 of the Circuit Court of Ccox County. 7
- County not specifically identified to a particular region shall be Any Permittee residing in a portion of a municipality located in considered to be in the region of the non-Cook County portion Permittee's municipality.

for a maximum of 150 days) Red. 43 Source: JUL 11996

9355

, effective

TATEMENT OF PECOMMENDATION TO PROPOSED RULEMAKING

OFFICE OF THE COMPTROLLER

Illinois Funeral or Burial Funds Act Heading of the Part:

38 Ill Adm Code 610 Code Citation:

\$10.60 \$10.70 \$10.90 610.10 610.20 610.30 610.10 Section Numbers:

Date Originally Published in the Illinois Register: 3/1/96 20 Ill Reg 3655

610.Exhibit A

at its meeting on June 25, 1996, the Joint Committee on Administrative Rules considered the above cited rulemaxing and recommends that the Comptroller to resolve, through further completely addressed by this rulenaxing, such as: application of one rule to the 3 distinct industries affected; preparation and promulgation of a "Pre-Need Contract Booklet" as required by Section 1(a)-1(e) of the Illinois Funeral or Burial Funds Act; exceed the cost of the funeral and related merchandise by more than 25%; and further clarification regarding irrevocability of a pre-need contract and assignability of a policy or annuity for the purpose of complying with federal rules. licensee reporting requirement when funds retained continue to consult with affected trade groups statutory or rule modification, issues not

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Pailure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

TLLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO PROPOSED RULEMAKING

DEPARTMENT OF REVENUE

Weading of the Part: General Rule for All Taxes

86 Ill Adm Code 800 Code Citation:

800.1000 800.4000 Section Numbers:

20 Ill Red 5038 Date Originally Published in the Illinois Register: 3/29/96

At its meeting on June 25, 1996, the Joint Committee on Administrative Rules objected to the above cited rulemaking because the Department is unduly limiting the statutory right granted to taxpayers to "transmit, by facsimile, any return or document required to be filled by the Department under any Act administered by the Department" by establishing in rule that the Department Department believes the public's right to fax documents should be limited, it should seek a statutory amendment to narrow the existing broad authority to will accept faxed returns only when requested by the Department.

Pailure of the agency to respond within 90 days after receipt of the Statement of 0bjection shall be desert to be a refusal to respond under the Administrative Procedure Act and Shall constitute withdrawal of this proposed

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ILLINOIS ATTORNEY GENERAL

NOTICE OF PUBLIC INFORMATION

PROPOSED AMENDMENT TO CONSENT DECREE FOR REMEDIAL INVESTIGATION AND FEASIBILITY STUDY FOR THE BELOIT CORPORATION FACILITY

ADDRESS: Comments should be addressed to Susan W. Horn.Elizabeth Wallace, Assistent Attorney General, Parisonnemental Bureau, illiniois Attorney General's Office, Ill Mark Randolph St., lith Ploor, Chicago, Illinois & 60601 and should should refer to the Seloit Corporation facility,

Court for the Northern District of Illinois, Western Division, concerning the The Amendment allows Beloit Corporation to construct and operate an interim control action is in addition to the RI/FS work that Beloit Corporation is notice is hereby given of a proposed Amendment to Consent Decree for Remedial investigation and Feasibility Study that is filled in the United States District Organic Compounds (VOCs) in groundwater on the Beloit Corporation property, This interim source SUPPLEMENTAL INFORMATION: In accordance with Section 122(i) (1) of CERCLA, Beloit Corporation facility located near Rockton, Winnebago County, source control action to address the presence of Volatile purrently performing pursuant to the Consent Decree.

inadequate. For thirty (30) lays following the date of publication of the notice, the Illinois Attorney General will receive written comments relating to The State of Illinois may withdraw its consent if comments received disclose facts which indicate that one amendment is inappropriate, improper

the interim consent order.

A copy of the proposed amendment can be found at the Talcott Public Library in Rockton, Illinois, and at the United States District Court for the Northern District of Illinois, Western Division in Rockford, Illinois.

ILLINOIS REGISTER

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF CODIFICATION CHANGES

1) Heading of the Title: Conservation

Date of Administrative Code Division Rgview: July 1, 1996

3

Headings of Parts Affected: Code Citation: Title 17

7

Natural of to Department The Department of Conservation was changed Resources by Executive Order Number 2 (1995).

Chapter heading, some Subchapter headings, some Part headings and references to the agency within the text of the rules are being changed at Only the The Part and Section numbers of this Title are not changing. this time.

Part Numbers	Headings: Public Hap of State Darke and Other Dromerties of
	ment of Conservation
115	Competitive Tournament Fishing on State Owned
	and/or leased Water Areas
140	Horse Barns at Sites Having Equestrian Use Areas
150	Regulations for the Letting of Concessions, Farm
	Leases, Sale of Buildings and Facilities, and
	Demolitions
170	Firewood Collection
180	Illinois Conservation Corps Summer Youth Employment
220	North Point Marina
230 .	North Point Marina Vendors
370	The Protection of Archaeological Resources
390	Non-Departmental Archaeological Research on
	Department of Conservation Managed Lands
510	General Hunting and Trapping on Department-Owned
	or - Managed Sites
515	Hunting and Trapping Accidents
520	Solentific Permits
525	Nuisance Wildlife Control Permits
530	Cock Pheasant, Hungarian Partridge, Bobwhite Quail
	and Rabbit Hunting
290	Duck, Goose and Coot Munting
630	Disease Sree Certification and Quarantine
	Provisions for Propagation, Release, Importation,
	Exportation and Transportation of Game Mammals,
	Game Birds, Migratory Birds or Exotic Wildlife
745	Hunting Season for Game Breeding and Hunting

Preserve Areas

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b	r,	
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9391

ILLINOIS REGISTER

Land and Water Conservation Fund Grant Program Illinois Bicycle Path Grant Program DEPARTMENT OF NATURAL RESOURCES NOTICE OF CODIFICATION CHANGES 3030 9390 ÿ Disposition of Deer Accidentally Killed by a Motor Commercial Fishing and Musseling in Certain Waters Aquaculture, Transportation, Stocking, Importation and/or Possession of Aquatic Life Trials on Non-spartment Owned or Managed -Managed Possession of Specimens or Products of Endangered Consultation Procedures for Assessing Impacts of Agency Actions on Endangered and Threatened Species Requiation of Public Use of Illinois Dedicated Department Formal Hearings Conducted for Rulemaking Open Space Lands Acquisition and Development Grant Dog Training on Department-Owned or -Managed Sites Distribution and Sale of Plant and Plant Materials Field Trials on Department-Owned or Managed Sites Snowmobile Trail Establishment Fund Grant Program Illinois List of Endangered and Threatened Fauna Illinois List of Endangered and Threatened Flora Designation of Restricted Waters in the State Falconry and the Captive Propagation of Raptors Boat and Snowmobile Registration and Safety Capacity Plates Standards on Various Watercraft Consignment of Licenses, Stamps and Permits Dog Training on Non-Department Owned or Ginseng Harvest and Commerce Requiations Illinois Salmon Stamp Contest Procedures The Forest Products Transportation Act Timber Buyer Licensing and Harvest Pees Forestry Development Cost-Share Program Rural Community Fire Protection Program Vehicle or Other Non-Hunting Methods The Taking of Reptiles and Amphibians Forest Fire Protection Districts Act Commercial Fishing in Lake Michigan Illinois Snowmobile Grant Program DEPARTMENT OF NATURAL RESOURCES NOTICE OF CODIFICATION CHANGES Fish Removal With Chemicals Sale of Forest Products Forest Management Plan or Threatened Species and Contested Cases and Natural Areas Nature Preserves Seed Collection of the State Fish Salvade Illinois Field Lands Sand 545 1535 1536 1537 570 580 590 2030 2520 2530 8880 890 910 056 830 860

ILLINOIS COMMERCE COMMISSION

REQUEST FOR EXPEDITED CORRECTION

- Persons for Access Heading of the Part: Telecommunications Disabilities
- Code Citation: 83 Ill. Adm. Code 755
- Section Numbers: Exhibit N
- Date Proposal published in Illinois Register: July 28, 1995, 19 Ill. Reg. 10888
- 19 Ill. December 29, 1995, Date Adoption published in Illinois Register: Reg. 17105 6
- Summary and Purpose of Supedired Correction: The rulemaking effective Danuary 1, 1996 resulted in Samibur N. the existency N. Laws repealed and a new Yizat resulted from reletering Skinbir M to N. Thus expedired correction produces one Exhibit N with a source note explaining the repeal and the relettering. The only change occurs in the language of the source 9
- Information and questions regarding this request shall be directed to: Name: Conrad Subinkowski 5
 - llinois Commerce Commission Office of General Counsel Address:
 - 527 East Capitol Avenue
- Springfield, IL 62794-9280 P.O. Box 19280 (217)785-3922 Telephone:

ILLINOIS REGISTER

9393

TILINOIS COMMERCE COMMISSION

SECURST FOR EXPEDITIED CORRECTION

CHAPTER I: ILLINOIS COMMERCE COMMISSION SUBCHAPTER f: TELEPHONE UTILITIES PUBLIC UTILITIES TITLE 83:

TELECOMMUNICATIONS ACCESS FOR PERSONS WITH DISABILITIES PART 755

GENERAL PROVISIONS SUBPART A:

Deviations (Repealed) Dispute Procedures Notice (Repealed)

Definitions

755.10 755.20 STIRPART R: LEC OBLIGATIONS

Execution and Administration of ITAP Components of ITAP Services Section

Publicity Concerning IDAP 755.105 755,110

Application Procedure and Processing Equipment Set Specifications - TT 755.115 755.125

Equipment Set Specifications - Text Telephone with LVD Equipment Set Specifications - Telebraille

Renewal of Agreements

ITAP Filing Requirements

755.135

755.126 755.130 ELIGIBILITY AND PARTICIPATION SUBPART C:

Disability Certification

755.200

Section

Eligibility and Application for Equipment Sets for Residents Eligibility and Application for Equipment Sets for Organizations Time Period for Possession 755.205 755.220 755.210

Change of Address Shared Residence

755.225

SUBPART D: POSSESSION AND MAINTENANCE

Equipment Ownership and Liability Responsibility for Maintenance Recipient Responsibility 755.300 Section

SUBPART E: OVERSIGHT AND REVIEW

ILLINOIS COMMERCE COMMISSION

REQUEST FOR EXPEDITED CORRECTION

			Rights	
	ison	Council	Council	Workshop
	Staff Lia	Advisory	Advisory Ccun	Biannual
Section	755.400	755.405	755.410	755.415

SUBPART F: LINE CHARGE ADJUSTMENT MECHANISM

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PYHIBIT	a	Color of the Contract of the C	Charges (Cabodule 3-7
PVUTDIO) (٠.	to condition (someone as the
4)	,	des and dapenses at ries
EXHIBIT	Ω	Ω	es Over/(Under) Expens
EXHIBIT	(c)		TA GLOSCOS (SCHOOL) P. M.
EXHIBIT		l fra	pital Expenditures Duri
EXHIBIT	U		Cash Under Proposed L
		Charge Before Cash Adjustment (Scnedule A-7)	le A-7)
EXHIBIT	æ		nedule A-8)
EXHIBIT	н	T I Depreciation Schedule (Schedule A-9)	
EXHIBIT	Ь	T J Projected Payroll Expenses, As Adjusted (Other than TRS	ed (Other than TRS Payro
		Expenses) (Schedule A-10)	
EXHIBIT	×	T K Projected Line Charge Filing Expenses (Schedule A-11)	(Schedule A-11)
EXHIBIT	ы	T. Comparative Actual and Projected Balance Sheets, At Propos	Balance Sheets, At Propo
		Line Charge, As Adjusted (Schedule A-12)	122)
EXHIBIT	×	T M Comparative Actual and Projected Statements	atements of Revenues a
		Expenses at Proposed Line Charge, As Adjusted (Schedule A-13)	Adjusted (Schedule A-13)
EXHIBIT	×	T N Local Exchange Carrier Monthly Report to ITAC	to ITAC
BXHIB:	7		amittanceReporttoF
		+Repeated.	

AUTHORITY: Implementing Section 13-703 and authorized by Section 10-101 of the Public Utilities Act [220 IDGS 5/13-793 and 10-101].

and and SOURCE: Adopted at 12 III. Reg. 1867, effective Pebruary 1, 1988, amended at 14 III. Reg. 1947, effective Pebruary 15, 1990; emergency amendement at 14 III. Reg. 1937s, effective Vocenier 25, 1990, for a maximum of 150 days, amended at 15 III. Reg. Scil, effective April 15, 1991, amended at 17 III.

ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

REQUEST FOR EXPEDITED CORRECTION

effective March 31, 1993; amended at 19 111, 2899 12105, effective January 1, 1996; expedited correction at 20 111; Req. 9 4 2 . , effective January 1, 1996.

REQUEST FOR EXPEDITED CORRECTION

Section 755.EXEIBIT N Local Exchange Carrier Monthly Report to ITAC

| Local Exchange Carter Name: | Remictance Cor (Mcnth/Year): | Line | Description | Number Rase | Rev | (A) (B) (C) (C)

(p)

Revenues (E)			
Rate (D)			
Number (C)			
Description (B)	Subscriber Lines (a) Centrex Lines Intra-MSA TRS billable	messages billed Prior Perrod Adjust- ment (Attach	Explanation) Total Remittance
ine (A)	351	-	S

(a) "Subscripte: Lines" means access times, as defined in all ILLI Adm. Code 730.105, of Icoal exchange carriers as defined in SILLI Adm. Code 753.10 (including specimentations carriers the are mutual concerns as defined in Section 11-02010) of the Admit not include Section 60.000, and O access lines 600 lines or access lines used for official communications carriers providing local acchange service. Also, for purposes of this report, "subscripte lines" does not notice deterministations carriers providing local acchange service. Also, for purposes of this report, "subscript lines" does not notice extens lines" does not be an applicable discounts as a preceded by Sections 756.128(4) (2)(2)(4), respectively.

Date Prepared: Originator:

Phone:

(Source: Exhibit N regeated and Exhibit M selectered to Exhibit N at 19 III. Reg. 49 50 \$\frac{1}{2} \frac{1}{2} \

ILLINOIS REGISTER

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ILLINOIS COMMERCE COMMISSION REQUEST FOR EXPEDITED CORRECTION

Section=755-EXHIBIT-N--Inter-Exchange-Carrier-Wonthiy-Remittance-Report-to-ITAC (Researed)

(Sources---Repeated-at-19-Ettv-Reg--27-6ffecttve-January-tv-1996)

9338

THE 1996 REGILLATORY ACENDA

Part(s) (Heading and Code Citation): Procurement Practices (44 Ill. Adm.

a)

- Rulemaking: Proposed Amendments
- Description: Sections 910.130 and 910.140 are being repealed will be replaced in the new proposed rules providing for prequalification and suspension of architects and engineers. is being repealed because it is superfluous and has no legal effect. Section 310.150 8
- Statutory Authority: Implementing the Capital Development Board Act [20 LLCS 3135] and authorized by Sections 9.36, 16 and la-11 of that Act, Illinois Purchasing Act [30 ILCS 505] Surveying, and Land Qualifications Based Selection Act (30 ILCS 5351, Architectural, Engineering, (8
- Scheduled meeting/hearing dates: None at this time.
- Date agency anticipates First Notice: October 1, 1996.
- corporations: No effect on municipalities or not for profit corporations. Effect on small businesses (A/E firms) Affect on small businesses, small municipalities or not for cannot be known exactly until new replacement rules are ready for proposal.
 - Agency contact person for information; Wm. G. Stratton Building, 3rd Floor Claire Gibson, Deputy Chief Counsel 401 South Spring Street Springfield, IL £
- ã See Related rulemakings and other pertinent information: above. 6

217/782-8729

- Code Citation): Prequalification of Architects and Engineers, (44 Ill.Adm.Code 980) Parr(s) (Heading and 9
- Rulemaking: Proposed Repealer
- This rule is being repealed and will be replaced by a new proposed rule. Description: (a
- Statutory Authority: Implementing the Capital Development Board Act [20 ILGS 3105] and authorized by Sections 9.06, 16 and 1A-11 of that Act, Illinois Purchasing Act (30 ILCS 505) B

CAPITAL DEVELOPMENT SCARD

TULY 1996 REGULATORY AGENDA

Surveying, Qualifications Based Selection Act [30 ILCS 3351. Land and Engineering, Architectural,

- Scheduled meeting hearing dates: None at this time í
- Date agency anticipates First Notice: October 1, 1996.
- Effect on small businesses (A/E firms) cannot be known exactly until new replacement rules are Affect on small businesses, small municipalities or long profit corporations: No effect on municipalities or for profit corporations. Effect on small businesses ready for proposal. (3
- Agency contact person for information: Wm. G. Stratton Building, 3rd Floor Claire Gibson, Deputy Chief Counsel 401 South Spring Street Springfield, IL 62706 217/782-8729
- informations talemakings and other pertinent See A) above. Related 6
- of Architects and Part(s) (Reading and Code Citation): Prequalification Engineers (44 Ill.Adm.Code 980)
- Rulemaking: Proposed Rule 7
- reflect requirements of the Architectural, Engineering, and Land Surveying Qualifications Based Selections Act [30 ILCS Rules for Prequalification and Selection of Architects and Engineers will be revised, primarily Description: 6
- Statutory Authority: Implementing the Capital Development Board Act [20 ECS 3105] and authorized by Sections 9.36, 16 and lA-11 of that Act, Illinois Purchasing Act 30 IECS 505] Land Qualifications Based Selection Act (30 ILCS 535). PUR Engineering, Architectural, (B
- Scheduled meeting hearing cates: None at this time.
- Date agency anticipates First Notice: October 1, 1996.
- Affect on small businesses, small municipalities or not for profit corporations: No effect on municipalities or not for profit corporations: No effect on municipalities or not for profit corporations. Effect on small businesses (A/E firms) cannot be known exactly until new replacement rules are ready (i)

TILY 1996 REGULATORY ACENDA

for proposal.

Agency contact person for information: Claire Gibson, Deputy Chief Counsel Wm. G. Stratton Building, 3rd Floor 401 South Spring Street 62706 Springfield, IL (4

211/782-8729

- Related rulemakings and other pertinent information: above.
- Partis) (Reading and Code Citation): Selection of Architects/Engineers (A/E) (44 111.adm.code 1000)

Rulemaking: Proposed Repealer

- Description: This rule is being repealed and being replaced by Architectural, Ingineering, and Land Surveying, Qualifications requirements reflecting Based Selection Act [30 ILCS 535], a new proposed rule
- Statutory Authority: Implementing the Capital Development Board Act (20 IICS 3105) and authorized by Sections 9.06, 16 and IA-11 of that Act, Illinois Purchasing Act [30 ILCS 505] and Architectural, Engineering, and Land Surveying, Qualifications Based Selection Act [30 ILCS 535]. (B)
- Scheduled meeting/hearing dates: None at this time.
- Date agency anticipates First Notice: October 1, 1996. 6
- Miffect on small businesses, small municipalities or not for profit corporations: No effect on municipalities or not for profit corporations. Effect on small businesses (A/E firms) cannot be known exactly until new replacement rules are ready
- Agency contact person for information: Claire Gibson, Deputy Chief Counsel Wm. G. Stratton Building, 3rd Floor 6

for proposal.

401 South Spring Street

Springfield, IL 62706

Related sulemakings and other pertinent information: See A)

ILLINGIS REGISTER

9401

JULY 1996 REGULATORY AGENDA CAPITAL DEVELOPMENT ROAD

of Architects/Engineers Selection Part(s) (Heading and Code Citation): (A/E) (44 Ill.Adm.Code 1000)

(e

Rulemaking: Proposed Rule 1

- Architects and Engineers will be revised, primarily to reflect Description: Rules for Prequalification and Selection Surveying Qualifications Based Selections Act [30 ILCS 535]. requirements of the Architectural, Engineering, and
- Statutory Authority: Implementing the Capital Development Board Act (20 ILCS 2105) and suthorized by Sections 9.06, 16 and 1A-11 of that Act, Illinois Purchasing Act (30 ILCS 505) and Architectural, Engineering, and Land Surveying, Qualifications Based Selection Act (30 ILCS 5351. í
- Scheduled meeting/hearing dates: None at this time. ΰ
- Date agency anticipates First Notice: October 1, 1996 â
- Affect in small businesses, small municipalities or not 60x profit or option profit or option profit organizations. No effect in municipalities or not for profit organizations. Effect on small businesses (A/B firms) De known exactly until new replacement rules are ready for proposal. cannot í a
- Agency contact person for information: Claire Gibson, Deputy Chief Counsel Wm. G. Stratton Building, 3rd Floor 401 South Spring Street Springfield, IL 217/782-8729 G
- See Related rulemakings and other pertinent information: above.
- Code Citation): Illinois Accessibility Code (71 Part(s) (Heading and Code 400) [11.Adm.

Rulemaking: Proposed Amendments

- Indorporate federal U.S.C. 12101 et seg.) existing chan provisions that are more stringent Americans with Disabilities Act Amendments requirements. Description:
- Statutory Authority: Implementing and authorized by Environmental Barriers Act (410 ILCS 25). Э)

TULY 1996 REGULATORY ACENDA

- time. this However, committee (see (q) below) meets requiarly. None at Scheduled meeting/hearing dates: ô
- Date agency anticipates First Notice: October 1, 1996.
- municipalities to the extent that they are subject to the Envisonmental Barriss Act (14) ICGS 25] and the Americans with Dissolities Act (42 U.S.C. 1210) et seq.). on small businesses, small municipalities or not for profit corporations: It will affect small businesses and â
- Agency contact person for information: Claire Gibson, Deputy Chief Counsel Wm. G. Stratton Buliding, 3rd Floor
 - 401 South Spring Street Springfleid, IL 62706 217/782-8729
- sulemakings and other pertinent information: The Disabled Persons Advocacy Division of the Attorney General's Environmental Barriers Act) has caganized a large committee consisting of representatives of the Capital Development Board and other governmental entitles (federal, state, municipal), disabled persons organizations, building owners organizations, architects, and other interested persons to cooperatively Office (the agency cnarged with enforcement draft the proposed amendments. Related

ILLINOIS REGISTER

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

JULY 1996 REGULATORY AGENDA

- Zone Part(s) (Heading and Code Citation): Illinois Enterprise Program, 14 Ill. Adm. Code 520
- Rulemaking:

e2

- Description: Section 520.700 of the Enterprise Zone Program $High\ {\tt Impact}$ Business is being amended to reflect recent Legislative action and Section 520.1100 of the Enterprise Zone Program Mign Impact Service Facility Machinery and Equipment Sales Tax Exemption due to employment criteria. (K
- Implementing and authorized by the Zone Act [20 ILCS 655] (See Public Act Statutory Authority: linois Enterprise 32-109). â
- Scheduled meeting/hearing date: None at this time
- Date agency anticipates First Notice: September 15, 1996. 6
- Affect on small dusinesses, small municipalities or effect on small unsinesses, small municipalities and affect on small unsinesses, small authorpalities and not-for-profit corporations. (E)
- Agency contact person for information:

IL Department of Commerce & Community Affairs 620 East Adams Street, 5th Floor Brenda Tager, Deputy Director Springfield, IL 62701 Name: Address:

217/785-6174 Telephone:

Related rulemakings and other pertinent information: None.

Part(s) (Heading and Code Citation): State Administration of the

Ģ,

Federal Community Development Block Grant Program for Small Cities, 47 Ill. Adm. Code 110 1) Rulemaking:

- Description: This rulemaking will revise the program rules for the Community Development Assistance Program.
- Statutory Authority: Implementing Section 46.37 and authorized by Section 46.42 of the Civil Administrative Cod: of Illinois (20 ILCS 605/46.37 and 46.42). (B)
- Scheduled meeting/hearing date: None at this time.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

September 15, 1996. Date agency anticipates First Notice: TULY 1996 REGULATORY AGENDA

ã

- municipalities are encouraged to apply for Community not-for-profit corporations: Small businesses and small These amendments will municipalities small Development Assistance Program funds. smail businesses, 6
- Agency contact person for information:

not materially affect their ability to access funds.

In Department of Commerce & Community Affairs 620 East Adams Street, 5th Floor Manager, Division of Community Assistance Mark C. Gauss Name: Address:

Springfield, IL 62701 217/785-6193 Pelephone:

- G) Related rulemakings and other pertinent information: None.
 - Part(s) (Reading and Code Citation): Illinois Promotion Act Programs, 14 ill. Adm. Code 510

Rulemaking:

- accurately reflect the program intent to increase hotel/motel and bed & breakfast occupancy. Section 510.20 Tourism Councils, Local Share, Grant Amount, Eligible Promotional Projects and Total Project Cost in order to Description: Sections 510.20, 510.70, 510.85 of the Tourism Matcoing Grant Program rules are being amended to noze is being amended to update the definitions of the Regional eliminate growth barriers and improve effectiveness of 9
- Executive Order No. 3 leffective 1979), has been empowered to administer the Illinois Promotion Act, implemented and The Illinois Department of Commerce and Community Affairs, having been created pursuant to authorized by Ill. Rev. Stat. 1991, Ch. 127, pars. 200-21 et Statutory Authority: 9
- Scheduled mesting/hearing date: None at this time.
- Date agency anticipates First Notice: October 1996.
- Affect on small businesses, small municipalities or more-for-profit copocations: A changes in the Grant Amount and Local Share Amount will have an affect on these ω ω

ILLINOIS REGISTER

9405

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

JULY 1996 REGULATORY AGENDA

Alency contact person for information: Marilyn Hurst í di

маше:

IL Bureau of Tourism IL Department of Commerce & Community Affairs 620 East Adams Street, 5th Floor Springfield, IL 62701 Address: Telephone: G) Related rulemakings and other pertinent information: None.

STATE BOARD OF EDUCATION

JULY 1996 REGULATORY AGENDA

Part: Charter Schools; 23 Ill. Adm. Code 650

Rulemaking:

- Description: Ordinary rules will be promulgated to replace the emergency rules already filled in response to P.A. 99-450. These will set forth the method for local school boards' submission to the State Board of reports approving or denying charter school applications. The rules will also delineate the review procedures; requirements for revision renewal of charters; and the appeal process called for in charter schools law. Board's 8
- Statutory Authority: 105 ILCS 5/27A-13
- Scheduled meeting/hearing date: To be announced. õ
- Date agency anticipates First Notice: July 19, 1996 â
- small municipalities, ousinesses, not-for-profit corporations: small â
- Agency contact person for information:

Illinois State Board of Education Springfield, Illinois 62777 Agency Rules Coordinator 100 North First Street

Related rulemakings and other pertinent information: None. (217) 782-0541 6

ELLINOIS REGISTER

ILLINOIS HOUSING DEVELOPMENT AUTHORITY ULY 1996 REGULATORY AGENDA

National Affordable Housing Act Part(s) (Heading and Code Citation): (HOME) Program (47 Ill. Adm. Code 370)

1) Rulemaking:

(8

- Description: Amends rules to bring them into conformity with the federal HOME Program regulations. 2
- Act.) and the regulations promulgated thereunder (24 CTM Part 22) and are autorized by Sections 12, 7.12, 7.24(a) and 7.25 of the liling secting Development Act (20 ICCS 3805.7.2, 7.12, 7.12, 7.24(a) National Affordable Housing Act of 1990 (P.L. 101-165) (the "HOME This rulemaking implements Title II Statutory Authority: and 7.25]. 3
- Scheduled meeting/hearing date: August 16, 1996
- Date agency anticipates First Notice: August 20, 1996 â
- Affect on small businesses, small municipalities or not for profit Affects real estate developers. corporations: 6
- Agency contact person for information: Œ,

Illinois Housing Development Authority 401 N. Michigan Ave., Ste. 900 Crystal Maher, Esq.

Chicago, IL 63611 (312) 836-5333 None Related rulemakings and other pertinent information: 6

Part(s) (Heading and Code Citation): Affordable Housing Bond Program (47 Ill. Adm Code 365) (q

- 1) Rulemaking:
- Description: Amends rules to reflect timing of loan. (A
- Housing Development Act [20 ILCS 3805/7.19 and 7.25] and Sections Sections 7.19 and 7.25 of the Illinois 4 and 7(e) of the Illinois Affordable Housing Act [319 ILCS 65,4 Statutory Authority: and 7(e)]. 3)
- Scheduled meeting/hearing date: September 20, 1996
- Date agency anticipates First Notice: October 1, 1996 â

9408

9409

ILLINOIS HOUSING DEVELOPMENT AITHORITY

TULY 1996 REGILLATORY AGENDA

- Affect on small businesses, small municipalities or not for profit corporations: None
- Agency contact gerson for information: G

Illinois Housing Development Authority 401 N. Michigan Ave., Ste. 900 Lori Silver-Finkel, Esq. Chicago, IL 60611

- Related rulemakings and other pertinent information: None (312) 836-7341 6
- Part(s) (Heading and Code Citation): Public Information, Rulemaking and Organization (2 Ill. Adm. Code 1975) Û
- 1) Rulemaking:
- Description: Amends the number of board members in a quorum.
- Housing the Illinois ij Statutory Authority: Section 6 Development Act [20 ILCS 3805/6].
- Scheduled meeting/hearing date: September 20, 1996
- October 1, 1996 Date agency anticipates First Norice: â
- Affect on small businesses, small municipalities or not for profit corporations: None ω
- Agency contact person for information: Ĝ,

Illinois Mousing Development Authority 401 N. Micnigan Ave., Ste. Richard B. Muller, Esc. Chicago, IL 68611 (312) 836-5327

- Related rulemakings and other pertinent information: 6
- Tax Credit Sousing Low-Income Citation): Part(s) (Heading and Code Citat Allocation (47 Ill. Adm. Code 350) ô

1) Rulemaking:

A) Description: Amends rules to bring them into conformity with the

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

ULY 1996 REGULATORY AGENDA

Illinois Housing Development Authority's Tax Credit Allocation Plan and Section 42 of the Internal Revenue Code (26 U.S.C. Section 42).

- Housing the Illinois o É Section 7.24 Development Act [20 LLCS 3805/7.24]. Authority: Statutory 3
- Date agency anticipates First Notice: November 26, 1996 Scheduled meeting/hearing date: November 15, 1996 â
- Affect on small businesses, small municipalities or not for profit corporations: None (i)
- Agency contact person for information: Richard B. Muller, Esq.

G

Illinois Housing Development Authority 401 N. Michigan Ave., Ste. 900 Chicago, IL 60611 (312) 836-5327

- Related rulemakings and other pertinent information: 6
- Parts (Heading and Code Citation): Single Family Mortgage Furchase Program II (47 II). Adm. Code 250). Home-worke Mortgage Revenue End Program (17 III). Adm. Code 250). Whitefamily Rental Rousing Mortgage Loan Program (47 III). Adm. Code 250). Wultifamily Rental Rousing Mortgage Loan Program (47 Ill. Adm. Code 310), Affordable Housing Program (47 Ill. Adm. Code 360), Affordable Housing Bond Program (47 Ill. Adm. Code 365), Affordable Housing Bond Program - Single Family (47 Ill. Adm. Code 366), Mational Affordable Housing Act (HOME) Program (47 Ill. Adm. Code 370). e
- 1) Rulemaking:
- the comply with Description: Amends waiver section of rules to Illinois Administrative Procedure Act. 6
- regulations promutated thereards (2.1787 9.2., 191-153) and the regulations for promutate thereards (2.1787 9.2. 2.3) and the page of the illinois agusting Development Act (20 ILCS 3805/7.2, 7.19, 7.24(a), and 7.25). Statutogy Authority: Implementing the Morrgage Subsidy Bond max Act of 1980 (25 0.5.0. Section 103A) Sections 4 and 7(e) of the Illinois Affordable Mousing Act (310 1205 55.4 and 7(e)); Sections 7.14, 7.19, 7.23 and 7.25 of the Illinois Housing Development Act [20 ILCS 3805/7.14, 7.19, 7.23 and 7.25;;Implements Title II of 3)

ILLINOIS REGISTER

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

TULY 1996 REGULATORY AGENDA

- Scheduled meeting/hearing date: October 18, 1996
- Date agency anticipates First Notice: November 10, 1996
- Affect on small businesses, small municipalities or not for profit corporations: None 3
- Agency contact person for information: 6

Illinois Housing Development Authority 401 N. Michigan Ave., Ste. 900 Stephanie Roodman, Esq.

Chicago, Il 50611 312) 836-5343 G) Related rulemakings and other pertinent information: None

ILLINOIS REGISTER

AND DEVELOPMENTAL DISABILITIES DEPARTMENT OF MENTAL HEALTH

JULY 1996 REGULATORY AGENDA

Grants (59 Ill. Adm. Code 103) Part(s) (Heading and Code Citation):

Rulemaking:

(a)

Description: (A)

This Part will be amended to apply deemed status to community Accreditation of Services for Families and Children, Accreditation Council or the Commission on Accreditation of of Realtheare Organizations, the Council of Services for Families and Childre Commission Joint providers accredited by the Rehabilitation Facilities. Accreditation

- Act [30 ILCS 1705/15, 34 and 34.1] and the Community Services Act [40 ILCS 30] and subtherrad by Section 5-194 of the Mencal Health and Developmental Disabilities Gode [435 ILCS 55-124] and Section 5 of the Department of Wantal Realth and Implementing Sections 15, 34 and 34.1 of Statutory Authority; Implementing Sections 15, 34 and 34.1 of the Department of Mental Health and Developmental Disabilities Developmental Disabilities Act (20 ILCS 1705/5]. 9
- The Department has not Department routinely involves other State agencies, such as the individuals with developmental disabilities or mental lilness in of its rules and amendments to those rules, public affected by the rulemaking can actively participate In this manner, Department of Public Aid, and providers of services through the formation of committees on which the providers HOWerer. Scheduled meeting/heating date: The Depar scheduled any heatings on this rulemaking. other State agencies are represented. the rulemaking's development. the development
- Date agency anticipates First Notice: September 1996.
- Affect on small pusinesses, small municipalities or not for profit corporations? This rulemaking will affect grant-funded community providers of mental health and developmental disabilities. G

Agency contact person for information: £

Bureau of Rules, Policies and Regulatory Review 401 Stratton Building Karl Menninger, II

relephone: (217)782-6702 Springfield, IL 62765

NND DEVELOPMENTAL DISABILITIES DEPARTMENT OF MENTAL HEALTH

TULY 1996 REGULATORY AGENDA

- Related rulemakings and other pertinent information: None.
- Part(s) (Heading and Code Cirations): Recipient Rights (59 III. Adm. Code 111) and Americans with Disabilities Act Grievance Procedures (4 III. Adm. Code 8251

(q

- Rulemaking:
- Description

hearing persons as well as to update terminology and statutory citations used in Part 111. Section 111.25, Services to Department recipients who are non-English or limited English Speaking, is being added. This new Section was originally adopted as Section ill.20(b). Part ill is also being amended to and or who use manual / wisual communication, applicable to community agencies and to clarify the use of family members as interpreters for deaf or hard of incorporate references to the Americans with Disabilities Act. Part 111 is being amended to make Section 111.20, Services ndividuals who are deaf, hard-of-hearing, deaf-blind deafened (hearing impaired)

Part 825 will be added to reference the Department's grievance procedures under Title II, Subtitle A of the Americans with Disabilities Act at 59 Ill. Adm. Code 111.10.

U.S.C.A. 2000d(1) (1995), the Age Discrimination Act of 1975 (42 U.S.C.A. 6101 (1995) and the Americans with Disabilities Act (42 U.S.C.S. 12101 (1995); Sections 111.20 and 111.25 implementing Sections 2-102(a) and 4-205 of the Mental Health and Sections acceptance (405 fLCs 5/2-102(a) and 4-205). Statutory Authority: Section 111.10 implementing Section 504 of the Renabilitation Act of 1973 (29 U.S.C.A. 794 (1995) and 45 CFR 84 (1994)), Title VI of the Civil Rights Act of 1964 3

soneduled any hearings on this rulemaking. However, one Department routinely involves other State agencies, such as the individuals with sevelopmental disabilities in the development of its rules and amendments to those rules, incougn the formation of committees on which the providers and other State age cres are represented. In this manner, the public affected by the rulemaking can actively participate in the rulemaking's of Public Aid, and providers of services The Department has Scheduled meeting/hearing date: development. Department

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AND DEVELOPMENTAL DISABILITIES DEPARTMENT OF MENTAL HEALTH

October 1996. Date agency anticipates First Notice:

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TULY 1996 REGULATORY AGENDA

- on small businesses, small municipalities or not for profit corporations: Only Section 111.20 of this rulemaking will affect non-profit community providers of mental health and developmental disabilities services.
- Bureau of Rules, Policies and Regulatory Review Agency contact person for information: 401 Stratton Building Karl Menninger, II G
- Related rulemakings and other pertinent information: None.

Delephone: (217)782-6702

Springfield, IL 62765

- Part(s) (Heading and Code Citation): Treatment and Habilitation Services (59 Ill. Adm. Code 112) ô
- Rulemaking: 1
- Description:

admission, treatment and habilitation of persons with mental retardation, physical and dental examinations of recipients of services, the use of informed consent, release and burial of deceased recipient, protection of human subjects, and the use of narcotics and the use and administration of psychotropic drugs Part regulates the utilization review process, n Department facilities.

and psychotropic drugs for use in Department Sectificies since this is no longer required by stature, Section 123-90 will be amended to implement Sections 2-107 it and 2-107-2 of the Mental Sections 112.89 will be amended to delete the list of narcotics Sealth and Developmental Dissbilities Code (495 LLCS 5/2-107.1]. Seatutory Authority: implementing Sections 2-1771, 2-1072, 3-207, 3-207, 3-15, 3-150, 4-209, 4-2112, 1731 and 4-709 of the Marcal Realth and Perelopental Disabilities Code (405 EQS) 4-709] and authorized by Section 5-104 of the Mental Healing and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 Developmental 5/2-107.1, 3-207, 3-405, 3-903, 3-910, 4-209, 4-312, 4-704 and Disabilities Act [20 ILCS 1705/5]. Mental of the Jepartment B

AND DEVELOPMENTAL DISABILITIES DEPARTMENT OF MENTAL HEALTH

TULY 1996 REGILLATIORY AGENDA

- Department has not The scheduled any hearings on this rulemaking. date: meeting/hearing
- Affect on small businesses, small municipalities or not for profit corporations? This rulemaking will not affect small Date agency anticipates First Notice: November 1996. 6

6

- business, smail municipalities or not for profit corporations. Phis culemaking will only affect Department-operated facilities
- Agency contact person for information: â

Bureau of Rules, Policies and Requiatory Review Telephone: (217)782-6702 101 Stratton Building Springfield, IL 62765 Carl Menninger, II

- None. Related rulemakings and other pertinent information:
- Minimum Standards for Licensure of Part(s) (Heading and Code Citation): Minimum Standards E Community Residential Airernatives (59 Ill. Adm. Code 113) í

Rulemakıng:

Description: 6

ILCS 46] and to apply deemed status to community providers οĘ Health Care Worker Background Check Act (225 on the Accreditation of Services for Families and Children, Accreditation Council or Organizations, the Council on Accreditation Commission on Accreditation of Renabilitation Facilities. accredited by the Joint Commission required by the Healthcare

Phis Part will be amended to implement the the waiver process

- SERUIGOY AUTOCIEVY Implementing the Feath Care Worker Background Check Act (225 1052 sig and the Community Residential Activative Licensing Act (210 105 st) and autnorized by the Community Residencial Alternative Licensing Act [210 ILCS 40], Section 5-104 of the Mental Realth and Developmental Disabilities Code (405 ILCS 5/5-104) and Section 5 of the Department of Mental Health and Developmental Disabilities 20 ILCS 1705/5], â
- not Department has However, scheduled any hearings on this rulemaking. The Scheduled meeting/hearing date:

LLINOIS REGISTER

SETTITIES C TETNEMODIANE ON DEPARTMENT OF MENTAL HEALTH

THEY 1996 RECHEATORY AGENDA

through the formation of committees on which the providers and routinely involves other State agencies, such as the individuals with developmental disabilities or mental illness in the development of its rules and amendments to those rules, other State agencies are represented. In this manner, the public affected by the rulemaking, can actively participate Department of Public Aid, and providers of services the rulemaking's development. Department

- Date agency anticipates First Notice: August 1996. â
- Affect on small businesses, small municipalities or not for profit corporations? This rulemaking will affect community providers of community residential alternatives. 6
- Agency contact person for informations G

Bureau of Rules, Policies and Regulatory Review 401 Stratton Building Telephone: (217)782-6792 Springfield, IL 62765 Karl Menninger, II

- Related rulemakings and other pertinent information: None.
- Part(s) (Heading and Code Citation): Standards and Licensure Requirements for Community-Integrated Living Arrangements (59 Ill. Adm. Code 115) 6

Rulemaking: -

Description: (H

10 to 0 providers 9 the waiver process accredited by the Joint Commission on the Accreditation on Accreditation Services for Families and Children, Accreditation Council or Commission on Accreditation of Renapilitation Facilities and required by the Health Care Worker Background Check Act .mplement P.A. 89-31, approved and effective June 23, 1995. 46], to apply deemed status to community This Part will be amended to implement Organizations, the Council Healthcare

Statutory Authority: Implementing the Community-Integrated Living Arrangements Licensure and Certification Act (210 IIGS Developmental Disabilities Code (405 ILCS 5/5-104 and Section 5 46] and authorized by Section 5-104 of the Mental Health 135] and the Health Care Worker Background Check Act [225 () B

AGNORA PRGILLAMORY AGENDA

Developmental and Health Mental Disabilities Act [20 IECS 1705/5]. Department of

- individuals with developmental disabilities or mental illness in the development of its rules and amendments to those rules, through the formation of committees on which the providers and Department routinely involves other State agencies, such as the other State agencies are represented. In this manner, public affected by the rulemaking can actively participate The Department has Department of Public Aid, and providers of services However, scheduled any nearings on this rulemaking. meeting/hearing date: one rulemaking's development. Scheduled
- Date agency anticipates First Notice: August 1996.
- Affect on small businesses, small municipalities or not for This rulemaking will affect .community living arrangements profit corporations? This rulemaking browiders of community-integrated residential services. í i
- Agency contact person for information:

Bureau of Rules, Policies and Regulatory Review 401 Stratton Building Springfield, IL 62765 Karl Menninger, II

Related rulemakings and other pertinent information: None. Telephone: (217)782-6702

Part(s) (Heading and Code Citation): Minimum Standards for Certification of Developmental Training Programs (59 Ill. Adm. Code 119)

Rulemaking:

Description:

implement the waiver process required by the Health Care Worker Background Check Act (225 and to apply deemed status to community providers Services for Emailies and Children, Accreditation of Commission on Accreditation of Accredi accredited by the Joint Commission on the Accreditation Healthcare Organizations, the Council on Accreditation This Part will be amended to IECS 46

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AND DEVELOPMENTAL DISABILITIES DEPARTMENT OF MENTAL HEALTH

TULY 1996 REGULATORY AGENDA

- Health and Developmental Disabilities Code (105 ILCS 5/5-104 and Section 5 of the Department of Mental Health and Developmental Statutory Authority: Implementing Section 15.2 of the Department of Mental Health and Developmental Disabilities Act 20 ILCS 1705/15.2] and the Health Care Worker Background Check [225 ILCS 46] and authorized by Section 5-104 of the Mental 15.2 Implementing Disabilities Act [20 ILCS 1705/5].
- Schedule meeting the associates: The Department has not schedule day heatings on this fullemaking. However, the Department routinely involves other State agencies, such as the Department of Public Aid, and providers of services to individuals with developmental disabilities or mental illness in the development formation of committees on which the providers and other State agencies are represented. In this manner, the public affected by the rulemaking can actively participate in the rulemaking's of its rules and amendments to those rules, through development.
- Date agency anticipates First Notice: August 1996. â
- Affect on small businesses, small municipalities or not for profit corporations? This rulemaking will affect community providers of developmental training programs. 6
- Agency contact person for information: G

Bureau of Rules, Policies and Regulatory Review Telephone: (217)782-6702 401 Stratton Building Springfield, IL 62765 Karl Menninger, II

- Related rulemakings and other pertinent information: None.
- Part(s) (Heading and Code Citation): Early Intervention Program (59 Ill. Adm. Code 121) Э
- Rulemaking:
- Description: 2

This Part will be amended to apply deemed status to community providers accredited by the Joint Commission on the Organizations, the Council Families and for Accreditation of Healthcare Services J.C Accreditation

DEPARTMENT OF MENTAL HEALTH

JULY 1996 REGULATORY ACENDA

Accreditation Council or the Commission on Accreditation of Rehabilitation Facilities.

Statutory Authority: Implementing and authorized by Section 9

9

of the Early Intervention Services System Act [325 ILCS 20/9].

- Scheduled meetingingstating date. The boardment has not considered more being the formation of more formation and providers of services to individual with electromental distance for services to individual with electromental distance formation of the formation of committees on high or providers and other States appeared a see suppresented. In this manner, the
- Date agency anticipates First Notice: September 1996.

public affected by the rulemaking, can actively garticipate

the rulemaking's development.

- B) Affect on small businesses, small municipalities or not for profit cooperations. This to the aking will affect community profit of actly intervention programs.
- F) Amency contact person for information:

Karl Menninger, II Bureau of Rules, Policies and Regulatory Review 401 Stratton Building Sprindfield, IL 62765

Telechone: (217)782-6702

- G) Related rulemakings and other pertinent information: Nonenetted relation and code relation: Desirate Distribution Distribution
- h) Part(s) (Heading and Code Citation): Recipient Discharge/Linkage Aftercare (59 Ill. Adm. Code 125)
- 1) Rulemaking:
- A) Description:

Part 125 will be amended to update language and to reflect current Department policy.

B) Statutory Authority: Implementing Sections 15, 15.1, 15a. 15b and 16 of the Department of Mental Realth and Developmental Disabilities Act [0] ILCS 1705/5.15.1, 15a. 15b and 16] and authorited by Section 5-104 of the Wental Realth and

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DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

HULY 1996 REGULATORY AGENDA

Developmental Disabilities Code (405 ILCS 5/5-1)4 and Section 5 of the Department of Mental Health and Developmental Disabilities Act (20 ILCS 1705/5).

- O Schooling describinating delay. The Department has not proceed as a conclusion of the control of control of the control of control
- D) Date agency anticipates First Notice: December 1996.
- by Affect on small businesses, and in unicolative or Dok 200 group to good to community the providers of small businesses, and developmental disabilities services where its department has placed disabilities and the provider where its department has placed disabilities of the department has placed disabilities that there are not not not been individuals. By these agencies to the department of the provided to these individuals by these agencies.
- F) Agency contact person for information:

 Racl Menninger, II

 Bureau of Rules, Policies and Regulatory Review
- 401 Stratton Building Springfield, IL 62765 Telephone: (217)782-6702
- G) Related rulemakings and other pertinent information: None.

Partis) (Reading and Code Citation): Medicard Community Mental Health Services Program (59 III. Adm. Code 132)

- 1) Rulemaking:
- A) Description:

This pert will be amended to apply deemed fetures to community providers accedited by the Joint Commission on Acceditation of Realthcase Organizations, the Council on Acceditation of Sevirees for Emailses and Children Acceditation for the Commission on Acceditation of Commission on Acceditation of Commission on Acceditation of Commission on Acceditation of Commission on Acceditation Commission Commiss

AND DEVELOPMENTAL DISABILITIES DEPARCMENT OF MENTAL HEALTH

TULY 1996 REGULATORY AGENDA

Rehabilitation Facilities.

- Department of Mencal Health and Developmental Disabilities Act Services Act [405 ILCS 30] and Section 15.3 of the Implementing and authorized Authority: 20 ILCS 1705/15.3]. 8
- Department routinely involves other State agencies, such as the individuals with developmental disabilities or mental illness in through the formation of committees on which the providers and the development of its rules and amendments to those rules, public affected by the rulemaking, can actively participate The Department has of Public Aid, and providers of services other State agencies are represented. In this manner, Scheduled neeting/hearing date: The Department has scheduled any nearings on this rulemaking. However, the rulemaking's development. Department
- Date agency anticipates First Notice: September 1996.
- Affect on small businesses, small municipalities or not for profit corporations? This rulemaking will affect community
 - providers of Medicaid community mental health services programs.
- Agency contact person for information:

Bureau of Rules, Policies and Requiatory Review Telephone: (217)782-6702 401 Stratton Building Springfield, IL 62765 Rarl Menninger, II

- Related rulemakings and other pertinent information: None. 6
- Individual Care Grants for Mentally (Heading and Code Citation): Part(s) (Heading and Code Citation): Ill Children (59 Ill. Adm. Code 135)
- Rulemaking:

(A

- update language and Part 135 will be amended, to Description:
- Statutory Authority: Implementing Section 7.1 of the Department of Mental Realth and Developmental Disabilities Act [20 ILCS 8

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DEPARTMENT OF MENTAL HEALTH

AND DEVELOPMENTAL SISABILITIES THEY 1996 REGULATORY ACENDA

Health and Developmental Disabilities Code [405 ILCS 5/5-104 and Section 5 of the Department of Mental Health and Developmental .705/7.1] and authorized by Section 5-104 of the Mental Disabilities Act [20 ILCS 1705/51.

- Department of Public Aid, and providers of services to individuals with developmental disabilities or mental illness in to those rules, through the formation of committees on which the providers and In this manner, the public affected by the rulemaking, can actively participate in Department routinely involves other State agencies, such as However, Department Scheduled meeting/hearing date: The Departme scheduled any nearings on this rulemaking. the development of its rules and amendments other State agencies are represented. the rulemaking's development.
- Date agency anticipates First Notice: October 1996.
- es, small municipalities or not for this rulemaking will affect community providers of mental health services and both proprietary and not children, adolescents and young adults in Illinois and in other for profit providers of residential treatment programs Affect on small businesses, small municipalities profit comporations? 8
- Agency contact person for information: É

states.

Bureau of Rules, Policies and Regulatory Review Telephone: (217)782-6702 401 Stratton Building Springfield, IL 62765 Karl Menninger, II

- Related rulemaxings and other pertinent information: None. 6
- Residential Programs for Persons with Mental Illness (59 Ill. Adm. Code 200) Part(s) (Heading and Code Citation): ÷
- Rulemaking:
- Description:

reflect

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one set of rules the community residential programs for persons with mental illness. standards and licensure requirements for New Part 200 will pull together

TOTAL Y 1996 RECTILATION AGENCY

Health and Developmental Disabilities Code (405 ILCS 5/5-104 and Statutory Authority: Implementing the Community Services Act 405 ILCS 30] and authorized by Section 5-104 of the Mental Section 5 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/5].

B)

- individuals with developmental disabilities or mental illness in public affected by the rulemaxing, can actively participate in the development of its rules and amendments to those rules, through the formation of committees on which the providers and of Public Aid, and providers of services Department routinely involves other State agencies, such as other State agencies are represented. In this manner, Scheduled meeting/hearing dare: The Department has scheduled any hearings on this rulemaking. However, the rulemaking's development.
- Date agency anticipates First Notice: December 1996.
- Affect on small businesses, small municipalities or not for profit comporations? Into rulemaking will affect community providers of residential programs for persons with mental 9
- Agency contact person for information: 6

illness.

Bureau of Rules, Policies and Regulatory Review (217)782-6702 401 Stratton Building Springfield, IL 62765 Karl Menninger, II Telephone: Related rulemakings and other pertinent information: None. G

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ULY 1996 REGULATORY AGENDA SECRETARY OF STATE

Under the Business Part(s) (Heading and Code Citation): Regulations Opportunity Sales Daw of 1995 (14 III. Adm. Code 135)

(a)

Kulemaking:

- Clarify filing procedures, clarify disciosure filing requirements and add 1 day cancellation of contract requirements, make technical corrections, amend material change reporting requirements, add orders of exemption to fraudulent practices section, clarify filling requirements section regarding advertising, add new section regarding required financial statements, amend or repeal existing sections in response Amend definitions, clarify renewal for exemptions by order, add new to industry comment. Description: 8
- Statutory Authority: 815 ILCS 602

B)

- unknown at this time, our there will be meetings with The specific dates are industry regarding any changes or additions to the rules. Schedule neering/hearing date:
- Date agency anticipates First Notice:

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- and/or sale of business opportunities requiring installment payments of over 550 will be requirised by proposed utles. The trues will not affect small municipalities or not for the content of the conte Affect on small businesses, small municipalities or not for profit corporations: Small ousinesses angaged in the offer profit corporations. ũ
- Michael A. Chizmar, Assistant Director Agency contact person for information: 520 South Second Street, Suite 200 Illinois Securities Department Springfield, Illinois 62701 117/524-8040 3
- Proposed tulemaking under the Illinois Business Brokers Act other pertinent information: of 1995 would exempt from that act certain agreements made in compliance with the Loan Brokers Act. rulemaking and Related Û

Regulations Under Illinois Loan Part(s) (Heading and Code Citation): F Brokers Act of 1995 (14 Ill. Adm. Code 145) ç

Rulemaking

SECRETARY OF STATE

ULY 1996 REGULATORY ACENDA

- clarifies definitions of terms used in the Loan Brokers Act the existing rules; and adds new rules or amends Description: Clarifies existing rules; adds, deletes, existing rules to deal with industry concerns. (A
- Statutory Authority: 815 ILCS 175/15-45(a)(1) 9
- Schedule meeting/hearing date: Unknown
- Date agency anticipates First Notice: Unknown 6
- Affect on small businesses, small nunicipalities or not for profit comporations: The Department has determined that the proposed rulemaking snould simplify compliance by small impact on not for profit corporations or smail nunicipalities. businesses and snould have no
- Agency contact person for information: Michael A. Chizmar, Assistant Director
 - Illinois Securities Department
- 520 South Second Street, Suite 200 Springfield, Illinois 62701 217/524-8040
- Related rulemaking and other pertinent information: Proposed rulemaking under the Illinois Business Brokers Act <u>Part(s) (Heading and Code Citation)</u>: Regulations Under the Illinois Securities Securities Act for the conduct of Hearings by the Illinois Securities of 1995 would exempt from that act certain agreements made in compliance with the Loan Brokers Act.

Department (14 Ill. Adm. Code 130)

Rulemaking: ã

for filling an answer to the Securities Department's Notice of Hearing; amends the requirements for filing a special appearance; clarifles the various forms of Description: Amends the requirements for the Securities Department's issuance of a Notice of Hearing and the granting a continuance; clarifies the rule on Open hearings; amends the rule on a request for a Bill of Particulars: the requirements for obtaining Discovery, the rule for pre-hearing conferences, the sequences of events for hearings; adds new section of sanctions for violation notions that may be presented; Clarifies the reasons clarifies co :esponse: HO answer Corresponding reguirements asking and

SECRETARY OF STATE

TULY 1996 REGULATORY ACENDA

Statutory Authority: 815 ILCS 5/11(A)

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- Date agency anticipates First Notice: Unknown Schedule meeting/hearing date: Unknown
- Affect on small businesses, small municipalities or not for profit corporations: No direct effect on operations Agency contact person for information: E) ũ
 - Michael A. Unizmar, Assistant Director 520 South Second Street, Suite 200 Ellinois Securities Department Springfield, Illinois 62701 217/523-4040
- Related sulemaking and other certinent information: regulation affects administrative legal proceedings.
- Under the Illinois Regulations Code 140) Part(s) (Heading and Code Citation): Business Brokers Act of 1995 (14 III. Adm.

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- Rulemaking:
- dealing with the Powers of the Secretary of State relating Adds new Sections regarding oral contracts; clarifying registration denial, suspension or revocation; to investigating business brokers; clarifying untrue or misleading statements allegedly made by business brokers; and exempting Loan Brokers. Description:
- Statutory Authority: 815 ILCS 307 9
- The specific dates are unknown at this time, but there will be meetings with industry regarding any changes or addition to the rule(s). Schedule meeting/hearing date:
- Date agency anticipates First Notice: â
- Affect on small businesses, small nunicipalities or not for the rules will not affect small nunicipalities or not for profit corporations, but there may be manimal impact on profit corporations: The Department has determined
- Agency contact person for information: Michael A. Chizmar, Assistant Director Illinois Securities Department ú

SECRETARY OF STATE

ULY 1996 REGULATORY AGENDA

520 South Second Street, Suite 200 Springfield, Illinois 62701 217/524-8040

- G) Related culemaking and other pertinent information:
- e) Part(s) (Heading and Code Citation): Issuances of Licenses (92 Ill. Adm. Code 1030)

1) Rulemaking:

- new Section 6-116.5 of the IVC; to include changes, not the procedures, involving the vision cancellation of driver's follow changes to Sections 6-201 and 11-408, as well as the license and the addition of definitions; to include changes changes include Description: To incorporate the administrative actions to lens cancellation of driver's licenses; include involving restrictions added to driver's licenses; to internal procedures telescopic mplementation of Motor Toter legislation. to the procedures involving changes certain a
- B) Statutory Authority: 625 ILCS 5/6-909; 625 ILC 5/6-103(3); 625 ILCS 5/6-116
- C) Schedule meeting/hearing date: None at this time
- D) Date agency anticipates First Notice: August-September, 1996
- E) Affect on small businesses, small municipalities or not for profit corporations; This should not affect small businesses, or profit corporations, or small municipalities.
- P) Agency contest person for information:
 Mark A. NOVAM
 Assistant Contest to the Secretary
 2701 S. Dirkeep Parkey
 Springtleid, Illinois 6773
- G) Related rulemaking and other pertinent information: None
- £) Part(s) (Heading and Code Citation): School Bus Driver Permit (92 Ill. Adm. Code 1035)

ILLINOIS REGISTER

SECRETARY OF STATE

THE 1996 REGULATORY ACENDA

Rulemaking:

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- <u>Description</u>: To add definitions, add to the list of offenses, incorporate the federally mandated drug testing program and amend existing rules.
- B) Statutory Authority: Implementing and authorized by Public Act 88-612, effective July 1, 1995.
- Schedule meeting/hearing date: None at this time
- D) Date agency anticipates First Notice: September, 1996
- Affect on small businesses, small municipalities or not for profit corporations. This should not affect small businesses, non-for-profit corporations, or small municipalities.
- F) Agency contact person for information: Mark A. Novak
 - Mark A. Novak
 Assistant Conneal to the Secretary
 2701 S. Dirksen Parkway
 Springfield, Illinois 62723

217/782-5356

- G) Related rulemaking and other pertinent information: None
- g) Part(s) (Heading and Code Citation): Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill. Adm. Code 1040)

1) Rulemaking:

- A) passage of new legistions of notice there is a passage of new legistich to the relating scale and the passage of new legistich to the reviewing procedures existing to personal injury/stal scalent cases as prior personal injury/stal scalent cases as prior conforteration in passage in personal injury/stal scalent cases as prior cases.
- B) Statutory Authority: 625 ILCS 5/6-204(a)(14); 625 ILCS 5/6-204 60 CB.; 7 625 ILCS 5/2-204(b); 625 ILCS 5/6-206(a)(23) and 11-50; 8 625 ILCS 5/6-206(a) and 6-700;
- C) Schedule meeting/hearing date: None at this time

TULY 1996 REGULATORY AGENDA SECRETARY OF STATE

- Date agency anticipates First Notice: July October, 1996
- Affect on small businesses, small municipalities or not for profit. Corporations: This should not effect small businesses, non-for-profit corporations, or small small comporations, or small continue or small continue or small corporations. 6
- Agency contact person for information: Mark A. Novak Assistant Counsel to the Secretary (H

municipalities.

- Springfield, Illinois 62723 2701 S. Dirksen Parkway 217,782-5356
- Related rulemaking and other pertinent information: None
- Part(s) (Heading and Code Citation): Business Corporation Act (14 III. Adm. Code 150)

1) Rulemaking:

- Description: Rule sets forth information on obtaining the daily list and the fee charged. (B
- 805 ILCS 5/1.25 Statutory Authority: B
- A hearing will not be scheduled since only minor changes are planned. meeting/hearing date: Schedule
 - Date agency anticipates First Notice: Unknown
- Affect on small businesses, small municipalities or not for profit corporations: None
- Agency contact person for information: Department of Business Services Dale Reynolds ũ
 - Springfield, IL 62756 330 Howlett Building 217/782-9524
- Related rulemaking and other pertinent information: None
- Part(s) (Heading and Code Citation): Revised Uniform Limited Partnership Act (14 Ill. Adm. Code 170)
- 1) Rulemaking:

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STATE OF STATE

JULY 1996 REGULATORY AGENDA

- <u>Description:</u> The rule sets forth type of information and label for purchase of locomation and the conditements to voltain if and informs the uses of the available methods. of transfer of information updates and the current cost. 9
- 805 ILCS 210/1103 Statutory Authority: â
- Schedule meeting/hearing date: No meetings or hearings are known to be scheduled.
- Date agency anticipates First Notice: Unknown 6
- Affect on small businesses, small municipalities or not for profit corporations: None ũ
- Agency contact person for information: Dale Reynolds Department of Business Services Springfleid, IL 62756 330 Howlett Building 217/782-9524 Œ
- Related rulemaking and other pertinent information: None
- Part(s) (Reading and Code Citation): Illinois State Library, Information Services Division (23 Ill. Adm. Code 3010)
- Rulemaking:
- Description: Revision of the rules to reflect needed updates concerning library stack access, photocopying, colorulation of materials, reserves of materials, related materials, reference service, and interlibrary loan. ā
- the 50 Statutory Authoritz: Implementing and authorized State Library Act (15 ILCS 320) 9
- not be vill scheduled since the changes are not major in scope. hearing eC. Schedule meeting/hearing date:
- Date agency anticipates First Notice: September, 1996 â
- Affect on small businesses, small municipalities or not for profit corporations: No direct impact ô
- Agency contact person for information: Kathleen L. Bloomberg

ECRETARY OF STATE

AGNIES VROTE-TITS 8 996 Y JULY

Springfield, IL 62701-1796 300 South Second Street Illinois State Library 217/785-0052

kbloombg library.sos.state.il.us

Related rulemaking and other pertinent information: None 6

Part(s) (Heading and Code Citation): The Illinois Library System Act Ill. Adm. Code 3030)

Rulemaking:

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- Description: Revision of criteria for system membership and updating the citation for the library system accounting manual. 6
- Statutory Authority: Implementing and authorized by the Illinois Library System Act (75 ILCS 10/1) B)
- not be
- Schedule meeting/hearing date: A nearing will scheduled since the changes are not major in scope.
- Date agency anticipates First Notice: October, 1996 â

Affect on small businesses, small municipalities or not for

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Agency contact person for information: profit corporations: No direct impact E

Springfield, IL 62701-1796 300 South Second Street Illinois State Library Kathleen L. Blocmberg 217/785-0052

Grants Part(s) (Heading and Code Citation): Public Library Construction (23 Ill. Adm. Code 3060)

Related rulemaking and other pertinent information:

cbloomb@ library.sos.state.il.us

Rulemaking:

Library Association standards for public libraries, add a definition for a library building consultant, define Description: Revise the citation for published Illinois different matching requirements; and define eligibility for grants for joint criteria for special grants with

ELLINOIS REGISTER

ECRETARY OF STATE

THEY 1996 REGULATORY ACENDA

use facilities.

9

- authorized by Sections 3 and 3 of the Illinois Library System Act (75 ILCS 10/3 and 8) Statutory Authority: Implementing Section 3 of the Capital Development Bond Act of 1972 (30 LDCS 420/3) and
- not be Schedule neeting hearing date: A hearing will scheduled since the changes are not major in scope.
- Date agency anticipates First Notice: September, 1996

â

- Affect on small businesses, small nunicipalities or not for profit corporations: No direct impact ô
- Agency contact serson for information: sblocmb@ library.sos.state.il.us Springfield, IL 62701-1796 300 Scuth Second Street Illinois State Library Kathleen L. Blocmberg 217/785-0052 í,
- Related rulemaking and other pertinent information: None
- Part(s) (Heading and Code Citation): Electronic Filing of Documents (2 Ill. Adm. Code 565 -- New Part) ê
- Rulemaking:
- Authorizes the Secretary of State to accept the electronic filling of documents. Description: 8
- Statutory Authority: Senate Bill 1465, which is expected to be signed by the Governor. The Secretary of State will not promulgate rules if the bill is not signed. 9
- Schedule meeting/hearing date: Unknown
- Date agency anticipates First Notice: Unknown â
- Affect on small businesses, small municipalities or not for documents to be filled profit corporations: Will permit documents electronically with the Secretary of State. (iii
- Agency contact person for information: Assistant Counsel Carol Sudman 6

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TULY 1996 REGULATORY ACENDA

Springfield, Illinois 62706 217/785-2094 298 Howlett Building

Related rulemaking and other pertinent information: None 6

n) Part(s) (Heading and Code Citation): Not yet assigned

1) Rulemaking:

- A) Description:
- A rule to set forth the requirements for the exchange of a salvage certificate for a clean certificate of title for recovered theft vehicles.
- information requests for title information when using electronic methods of transmittal of data. These rules Rules to set forth fees for the submission of tow will encompass fees for a) payment by credit card, b) payment for submission by facsimite or other electronic method, c) record search.
- Rules to establish procedures for the use of tow companies to request and receive electronically information on vahicles towed in which notification to the owner/lienholder is required.

Statutory Authority:

- 625 ILCS 5/3-118.1, 821.1 and 4-205
- Scheduled meeting/hearing dates: unknown
- Date agency anticipates First Notice: unknown â
- Affect on small businesses, small municipalities or not for profit corporations: no analysis available at this time
- Agency contact person for information: (H

Secretary of State's Office 298 Howlett Springfield, Illinois 62756 Robert E. Powers Assistant Counsel

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SECRETARY OF STATE

JULY 1996 REGULATORY AGENDA

Related rulemakings and other pertinent information: none

9434

JOINT COMMITTEE ON ADMINISTRATIVE RULES ILLINOIS GENERAL ASSEMBLY SECOND NOTICES RECEIVED

The following second notices were received by the following second notices were received by the following second notices were received by the following second notices were the consistent standy 21, 1956 and have been schelded for tereive by the consistent standy 21, 1956 section, Other teres not constant in this published list may also be consistent. Memory of the publish of this published list may also be consistent whether commerces their towards with respect to a rule should similar written commerces the Committee at the following address. Joint Committee on Administrative Bules, 700 Stearton Bidgs,

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
96/6/8	Office of Banks and Real Estate, Restings for Removal of Directors, Officess, Employees or Agents of a State Bank (38 Ill Afm Code 90))	4/5/96 20 Ill Reg 5326	7/23/96
96/6/8	Secretary of State, Certificates of Tatle, Registration of Vehicles (92 Ill Adm Code 1910)	5/10/96 20 111 Reg 6372	7/23/96
96/6/8	Department of Public Aid, Food Stamps (89 Ill Adm Code 121)	1/12/96 20 Ill Reg 5440	7/23/96
96/6/8	Department of Public Aid, Developmental Disabilities Services (89 Ill Adm Code 144)	4/12/96 20 Ill Reg 5434	7/23/96
96/6/8	Department of Natural Resources, The Taking of Wild Turkeys - Fall Gun Season (17 Ill Adm Code 715)	5/3/96 20 Ill Reg 6093	7/23/96
96/6/8	Department of Natural Resources, The Taking of Wild Turkeys - Fail Archery Season (17 Ill Adm Code 720)	5/3/96 20 Ill Reg 6086	7/23/96
10/36	Desarrment of Natural Resources, Raccoon, Oposeum, Striped Stunk, Red Fox, Gray Fox, Cypte and Mondchuck (Groundhog) Munting (17 III Adm Code 550)	5/3/96 20 Ill Reg 6079	7/23/96

JOINT COMMITTEE ON ADMINISTRATIVE RULES ILLINOIS GENERAL ASSEMBLY SECOND NOTICES RECEIVED

7/23/96	7/23/96	7/23/96	7/23/96	7/23/96	7/23/96	7/23/96	7/23/96
4/26/96 20 Ill Reg 5986	4/12/96 20 Ill Reg 5448	5/3/96 20 Ill Reg 6101	3/15/96 20 Ill Reg 4224	10/20/95 19 Ill Reg 14516	10/13/95 19 III Reg 14260	10/13/95 19 III Reg 14280	10/13/95 19 Ill Reg 14286
Department of Public Aid, Food Stamps (89 111 Adm Code 121)	Department of Public Aid, Medical Payment (89 111 Adm Code 140)	State Board of Education, Special Education (23 Ill Adm Code 226)	Department of Naturel Resources, Bonding and Insurance Scullineants for Surface Call Mining and Reclamation Operations (62 Ill Adm Code 1800)	Pollution Control Board, Solid Waste Disposal: General Provisions (35 Ill Adm Code 810)	Pollution Control Board, Alternative Standards for New Utility Waste Landfills (35 ill Adm Code 815)	<u>Poilution Control Board</u> , Solid Waste (35 Ill Adm Code 807)	Pollution Control Board, Standards for New Solid Waste Landfills (35 Ill Adm Code 811)
8/10/96	8/10/96	8/14/96	8/14/96	8/14/96	8/14/96	8/14/96	8/14/96

LARR COUNTY PAIR WEEK (REVISED) 96-302

Whereas, during this week, the public will be able to enjoy a Fair Queen Whereas, the 100th annual Clark County Fair will be held June 22-29,

Whereas, the fair dates back to July 16, 1897, and has been held at contest, horse racing, entertainment and plant, animal and craft exhibits; and come together Whereas, the fair provides a way for citizens to warious locations throughout the county; and

celebrate their community and fellowship and also serves as a sound tradition Whereas, it is right and proper to acknowledge the history of the Clark for Clark County; and

Therefore, I, Jim Edgar, Sovernor of the State of Illinois, proclaim June Filed by the Secretary of State June 28, 1996. 22-29, 1996, as CLARR COUNTY FAIR WEEK in Illinois. Issued by the Governor June 14, 1996.

County Fair;

96-307

1996 WOMEN'S BASKETBALL WERKEND

the College Women's All-Star Basketball Classic, Toung Talented Women Taking Basketbail To The Next Level, will be played on Sunday, June 30, 1996, at the Genesis Convention Center in Gary, Indiana; and Whereas,

Whereas, the classic will feature 28 of the top graduated seniors in the country who have made an impact on the sport of basketball; and

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June Whereas, Ms. Saudia Rountree, an NCAA Player of the Year from 27-30, 1996, as 1996 WOMEN'S BASKETBALL WEEKEND in Illinois. University of Georgia, will lead the All-Stars;

Filed by the Secretary of State June 28, 1996. Issued by the Governor June 19, 1996.

DR. SOKONI KARANJA/CENTER FOR NEW BORIZONS MONTH 96 - 308

Whereas, Dr. Sokoni Karanja received a B.A. in Psychology from Washburn University, three masters degrees in Experimental Psychology, Social Work, and Community Planning, and a Ph.D. in Orban Planning and Sconomics from Brandeis University, and

Whereas, Dr. Karanja lived and worked in Tanzania, East Africa, for two years and studied children and adult education, economic development and the Whereas, in 1971 Dr. Karanja founded Centers For New Horizons, Inc., concept of self reliance; and

Whereas, the center's mission is to develop the capacities of families to become more self-reliant, to improve the quality of their lives, and to Whereas, the center provides services to more than 2,000 children and culture-based education and economic development organization in Chicago; and participate in the revitalization of their community; and

ILLINOIS REGISTER

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Centers For New Horizons, TRACES '96, on Thursday, June 13, 1996, at the Field Whereas, Dr. Sokoni Karanja was honored at the 25th anniversary for the Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June families per day with a staff of only 235; and Museum of Natural History:

1996 as DR. SOKONI KARANJA/CENTER FOR NEW HORIZONS MONTH in Illinois. Issued by the Governor June 19,

Filed by the Secretary of State June 28, 1996

POX RIVER TROLLEY CENTENNIAL WEEKEND

the Fox River Valley will celebrate the 100th anniversary of their historic railroad and the 30th anniversary of the Fox River Trolley Whereas, Museum: and

the Museum's Aurora Sign and Fox River Stectric line is a industries and the Eigin State Rospital and then was used for of the first direct rail link between Elgin and Aurora; and Whereas, from 1935 to 1966, this railway was solely used for museum bublic operations; and Whereas, serving local iving remnant

from Mother's Day until early November and Saturdays from late June until Labor Whereas, the volunteer-operated museum is open on Sundays and Whereas, it has been cwned by the museum since 1972; and

Whereas, the railroad has been the subject of two volumes of a recent

Whereas, long-range goals include the construction of a Visitor's Center, four-volume treatise on the Valley's electric railways; and

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 29-30, 1996, as FOX RIVER TROLLEY CENTENNIAL WEEKEND in Illinois. a Display Building, a Restoration Building, and the construction of an extension into the Blackhawk Forest Preserve:

Filed by the Secretary of State June 28, 1996. Issued by the Governor June 19, 1996.

96-310

JICENSED ENVIRONMENTAL HEALTH PRACTITIONERS WEEK

aspects of the pnysical and represents and recommend Whereas, licensed enviconmental realth practitioners, trained biological and sanitary sciences, examine all aspects of the projectal accessions, 36fine and report enviconmental conditions, and recommendations, and recommendations, and recommendations. licensed environmental health practitioners in the State of Illinois; and Illinois Environmental Health Association Whereas, the improvements; and

Whereas, practitioners, serving in industry and in the field of public the safe processing and distribution of Food, clean housing, vector health are concerned with the education and inspection necessary to radiological health, and minimum environmental pollution: and

its Annual Education Conference June 30 - July 3, 1996, in Chicago: Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 30 - July 3, 1996, as LICENSED ENVIRONMENTAL HEALTH PRACTITIONERS WEEK in Whereas, the National Environmental Realth Association will

Illinois.

Issued by the Governor June 19, 1996. Filed by the Secretary of State June 28, 1996.

96-311 INDA TASSONZ/AMERICAN CANCER SOCIETY DAY

Whereas, the take County Unit of the American Cancer Society will hold lits second annual Relay for Lite on June 29, 1995; and Whereas, Linda Tassone, a cancer survivor and resident of Lake Bluff,

Ill be the spokesperson for this event, and
Whereas, Linda was adiapticed with theses cancer on Ume 13, 1994, and
Whereas, Linda nas had full dose of chemotherapy and radiation as well

as a seem colt crampishor; and with the second and is teaching her sixth grade classes at East Partie & School full irans and more as, and a fail or oblimeers with the medical maneer. Society in Lake

County? and "After and species, Linda wants to emphasize the amportance of living every day to its fullest and to get a second opinion when

Issued by the Governor June 19, 1996.

Filed by the Secretary of State June 28, 1996.

96-312 AMERICAN GI FORUM DAY

Whereas, thousands of Latino Americans served our country in World War 11st securing home only to few denial of their lights as weterans and the back Camerican freedom for which they had frought so hade and on white they had frought so hade and the securing the professal the American of Forms is the hearton's Largest larganic reservants of postalization, serving both veterans and their communities for more than 10 Years; and Mereas, the American GI Forum is devoted to furthering the interests of Americans of Mexican Mesercent and has participated and programs in Mexican Mesercent and has participated in projects and programs in Mexican Mesercent the Illinois; and

Americas, the activities of the American OI Forum are a source of pride to all criterion of Mexican-haerican descent as the organization works to enhance the quality of life and create new opportunities for growth and development, *Mescas, the American OZ Forum is celebrating its ilst Annual State CONWANTION on June 39.

Therefore, i, Jim Edgar, Governor of the State of Illinois, problim lune 38, 1396, as AMERICAN 57 FORUM DAY in Illinois and urge all our citraens to

recognize the valuable contributions of our Latino veterans. Issued by the Governor Inne 20, 1996. Filed by the Secretary of State June 28, 1996.

ILLINOIS REGISTER

MERICAN GI FORUM DAYS

Whereas, thousands of Little Americans service dour country in World Mar.

II, "electroning from any to Seco design for their days as weekens and the
basis American freedoms for which they had fought to back any weekens and the
factors." The service of the service is the analysis is a factor of the service of the servic

basic American freedoms for which they had Counts so hard and confine and Whereas. The American GI Form is the nation's largest Eispanic verseans organization, serving both verseans and their communities for more than 40 Pears; and it he American GI Forum is devoted to furthering the interests of

Americans of Mexican descent and has participated in projects and programs in

Mexican American communities throughout Illinous and Whereas. The activities of the American GI forum ace a source of pride to all citizens of Mexican-American descent as the organization works to emission the quality of life and create new apportunities for growth and development;

Whereas, the American GI Forum is celebrating its 41st Annual State Convention on Unee 1. Jim Edgat, Governor of the State of Illinois, proclaim Une

28-29, 1996, as ARREXONG TORNAN MOUSE IN Illinois and urge all our citizens to recognise the valuable contributions of our faction versions.

1 such by the Queenforch Line 20, 1996.

Tied by the Secretary of State June 28, 1996.

96-314 DR. ROGER B. COMPTON COMMENDED

Whereas, Dr. Roger D. Compton has served the Central Baptist Church in Springfield, Lilinois, since June 1979 and will retire from active ministry June 19, 1995, and

Whereas, Dr. Compon was licensed to the Gosgel ninistry in 1956 by the South Seventh Street Baptise Church in Springfall, illinois his speciesoed the Whereas, Dr. Compton strended Wherean Collice of Christian Manager and is safet, as a 10 Young, or Springfall and Whereas, Dr. Compton has traveled early including a preaching our

to Russia and to American Baptier mission fields; and
Moressa, D. Compton responded graduate degrees from Northern Baptist
Theological Seminary. Northwestern Distressity's School of Speech and was
awarded the Doctor of Divinity degree from Judson College; and

CHURCHESS, DT. CORPION Asserved as a member of the Amelian Suprist CHURCHSS of the Creat Stories Socion Scard of Managers and Thair of the Ministers Cumcil Committee on Ministerial Standards and Octinations and Ministerial Standards and Octinations and director of the Singamon Area Literacy Countil, a Stories can be additionable of the Chipman and the County of the Chipman and the County of the Chipman and the

Caregives Interfaith Voluneer Services:

ROGER E. COMPTON in Days of Discourant Of the State of Illinois, commend DR. ROGER E. COMPTON in homor of his outstanding service to Central Rappist Church and the clitera of our city and state and offer my best visnes in his retitement from active ministry.

retifement from active ministry.

Filed by the Secretary of State June 28, 1996.

ILLINGIS PARALEGAL ASSOCIATION AND PARALEGAL/LEGAL ASSISTANT DAY

Illinois, was established in November of 1972 in Whereas, paralegals aid in the efficient delivery of legal service to the Whereas, the Illinois Paralegal Association, the first professional response to the growing need for an organized professional association for organization in paralegals; and Whereas, the Illinois Paralegal Association promotes and maintains high standards in the paralegal profession and offers and encourages continuing October 29, 1996, will mark the celebration of the 24th Therefore, I, 5im Edgar, Governor of the State of Illinois, proclaim as ILLINGIS PARALEGAL ASSOCIATION AND PARALEGAL/LEGAL anniversary of the association; education for paralegals; and October 29, 1396, Whereas,

Filled by the Secretary of State June 28, 1996. Issued by the Governor June 20, 1996. ASSISTANT DAY in Illinois.

CHILD SUPPORT AWARENESS MONTH 96-316

in Illinois recognize that our children are our future and well-being is our nignest priority; and Whereas, illinois is committed to ensuring that all our children receive z,e

of both parents, their extended familles and their communities so Whereas, the Department of Public Aid Division of Child Support Enforcement, has been marged with the seponsibility of providing child support Services to all Tilinois Sanilless and that they can grow up in a nurturing environment; and support

Department of Public Aid is working with other state agencies and institutions to increase the number of children for whom paternity is established and to vigorously enforce the collection of payments for Illinois families: and Whereas, the

Whereas, we in illings have taken the lead in many child support initiatives to help families gain independence through welfare reform; November of the State of Illinois, proclaim August 1996 as CHILD SUPPORT NWARENESS MONTH in Illinois. Therefore, I, Jim Edgar,

Filed by the Secretary of State June 28, 1996, June 24, 1996. Issued by the Governor

WILLIAM J. VERMETTE COMPENDED 96-317

Whereas, William J. Vermette has served The Peoples Gas, Light and Coke Company, the Mid America Sas Council and the natural gas industry with the Peoples Gas, Light and Coke Company is a significant Whereas, Illinois is proud of the partnerships it has developed with the distinction in a career which has spanned more than 40 years; and resource and a vital component of the illinois economy; and Whereas,

Manager of Economic Development, private sector and business community; and Vermette, William Whereas,

ILLINOIS REGISTER

Conservation and Market Services, has consistently discharged his duties and responsibilities within the highest standards of competence and with dispatch Whereas, William J. Vermette retired on May 24, 1996, after 41 years and enthusiasm, earning the respect of his many friends and colleagues; and

Therefore, I, Jim Edgar, Governor of the State of Illinois, commend William J. Vermette for his many years of support to the Economic Development and Business Development efforts of the State of Illinois and the business community at large.

Filed by the Secretary of State June 28, 1996. Issued by the Governor June 24, 1996.

DSTRICE ASARSNESS WERE 96-318

Whereas, Illinois Chapter of the American Ostrich Association (ICAOA) is

Whereas, the American Ostrich Association consists of approximately 3,000 members in the parent organization in Fort Worth, Texas, and raises an estimated 500,000 birds; and Whereas, ICAOA includes more than 200 farmers and 19,000 ostriches and: a non-profit organization founded in 1987; and

Illinois ostrich business, natching and incubation, the status of the current Whereas, the event will provide information about the status of Whereas, ICAOA will celebrate Ostrich Awareness Week; and

breeder market and the unfolding of the commercialization of the Illinois Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July

28-August 3, 1996, as OSTRICH AWARENESS WEEK in Illinois. Filed by the Secretary of State June 28, 1996. Issued by the Governor June 25, 1996.

ROBERT MAGILL COMMENDED 96-319

Robert Magill, the proud father of eight children, has been a Whereas, during his lifetime, he has made many notable accomplishments; ifelong Republican; and Whereas,

as a Lieutenant Commander on the Alabama and the USS Missouri and he was present the day the he valiantly served during World War II peace treaty was signed; and Whereas,

Whereas, he also served as a probation officer in Sangamon County and was Whereas, he is active in his church and the community and is gresident of the Kiwanis and the Sancamon County Bar Association; and elected to the Sangamon County Spard; and

I, Jim Edgar, Sovernor of the State of Illinois, commend ROBERT MAGILL for his service to the United States of America and to the State Whereas, he celebrated his 50th year as an attorney on May 16, 1996; Therefore,

Filed by the Secretary of State June 28, 1996. Issued by the Governor June 25, 1996.

WARREN L. WALLERSTEIN COMMENDED

the first printing was done in the American colonies in 1639; Whereas, the craft of printing has played a vital role in the history of Illinois; and Whereas,

and

rich

Whereas, such notable Americans as Isalah Thomas, Benjamin Franklin, Otto Mergenthaler, and Samuel Clemens devoted time to the printing craft; and printing and publishing industries; and

Whereas, Illinois and its citizens have benefited economically from the

Therefore, I, Jim Edgar, Governor of the State of Illinois, commend WARREN L. WALLERSIEIN for his contribution to Americans during the past 37 Whereas, Warren L. Wallerstein is recognized among his peers as the leading book production person in the printing and publishing industry of the United States;

Issued by the Governor June 26, 1996.

Filed by the Secretary of State June 28, 1996.

AMERICAN FAMILY INSURANCE RECOGNITION DAY

Whereas, the well-being of the family is the cornerstone to a great include human issues in pursuit of is vital that business corporate goals; and

Whereas, within the State of Illinois, more than 2,924,880 families are in need of adequate, reasonably priced and comprehensive health and property protection; and

Whereas, family well-being includes economic stability and family member

Whereas, families can only be as strong and secure as the environments in which they exist; and development; and

Whereas, the rapidly changing demographics of America and Illinois demand

2, 1996, as AMERICAN FAMILY INSURANCE RECOGNITION DAY in Illinois in conjunction with the Taste of Chicago and commend American Family Insurance for its aggressive pro-family business perspective, statewide expansion creating jobs and incremental business for cutizens in Illinois, and its support of Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July innovative solutions and remedies to family issues;

coalitions and municipalities throughout the state. Issued by the Governor June 26, 1996.

Filed by the Secretary of State June 28, 1996,

96-322

of consulting engineering firms who primarily practice civil, electrical, mechanical, environmental and structural engineering by designing roads, Whereas, the Consulting Engineers Council of Illinois is an organization bridges, buildings, water treatment plants and other quality infrastructure for CONSULTING ENGINEERS COUNCIL OF ILLINOIS the citizens of Illinois; and

ILLINOIS REGISTER

Whereas, the Consulting Engineers Council of Illinois and its member firms use their scientific and technical knowledge and skills in creative and innovative ways to fulfill society's needs; and

Whereas, the member firms of the Consulting Engineers Council of Illinois construction of superhighways, which have a significant impact on the quality have worked in many areas, from towns rebuilt after natural disasters Whereas, the Consulting Engineers Council of Illinois and of life and economic climate of the state; and

the Consuiting Engineers Council of Illinois was Sounded in Whereas, the Consulting Engineers of Council of Illinois and its member firms age an important factor in the development and growth of the State of firms exist for the mutual benefit of its members and constituents; and Whereas, Illinois; and

CONSULTING ENGINEERS COUNCIL OF ILLINOIS on their 75th Anniversary for their Therefore, I, Jim Edgar, Governor of the State of Illinois, commend dedication and hard work and offer my dest wishes for continued success. Issued by the Governor June 26, 1996.

Filed by the Secretary of State June 28, 1996.

HUDSON FAMILY RECUION WEEKEND 96-323

Whereas, Horace Hudson was born in the late 1700's on a plantation in Mississippi; and

Whereas, from this union, 11 children and 83 grandchildren were born; and as a young man, Horace married his sweetheart, Hettie Prince in the year of 1812; and Whereas,

Whereas, there are many great grandchildren and great great hildren, descendants of Horace and Hettle Hudson, living throughout the Whereas, there are 115 families descending from Horace and Tettie Hudson living within the State of Illinois in the communities of Belleville, Bellwood, Bloomington, Calumet Park, Carbondale, Centreville, Champaign, Chicago, Dalton, Bast St. Louis, Forest Park, Maywood, Murphysboro, Riverdale, Rock Island, and United States; and grandchildren,

their churches, careers, and chosen professions, communities, states, and Whereas, these numerous descendants have made positive contributions country as well as to the Hudson Family; and Urbana; and

will be celebrating their heritage with a Hudson Family Reunion Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July of Horace and in Illinois in honor of Whereas, on July 12-14, 1996, the descendants and heirs Louis/Collinsville area of Illinois; 12-14, 1996, as SUDSON FAMILY REUNION WESKEND in the East St. Hettie Hudson

Issued by the Governor June 26, 1996. Filed by the Secretary of State June 28, 1996. Hudson Family's 7th Biennial Reunion.

PARALYZED VETERINS OF AMERICA WEEK

of America is a highly respected Veterans Whereas, the Paralyzed

organization of disabled military veterans and disability advocates; and

Whereas, PVA has established both the National Paraplegia Foundation and the PVA Technology and Research Foundation to assist in the care, treatment and for independent living; and

Whereas, this distinguished service organization for vererans is holding started at Hines Veterans Hospital in Maywood: and

its 50th anniversary national convention July 21-27, 1996, in Chicago: Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 21-27, 1996, as PARALIZED VETERANS OF AMERICA WEEK in Illinois. Issued by the Governor June 26, 1996.

Filed by the Secretary of State June 28, 1996.

Whereas, PVA has focused in rehabilitation of spinal ord hijured vererans, creating spinal ord cuteriors, securing benefits for disoblarged vererans, and dosessible nousing, transportation, education and prosthetic alos rehabilitation of persons with spinal cord injuries; and Whereas, the first chapter whereas, the first chapter of the national PVA was the Vaughn Chapter

Rutes acted upon during the quarter of April 1 thorugh June 30, 1996 are listed in the Issues Index by Title number, For tumber and mucher, For example, 50 III and Code objectively in Issue 2 will be listed sumber, 190 I to the April 200 I t

2-565-23 8-40-28 8-40-28 8-15-28 8-110-28 8-115-28 8-115-28 8-115-28 11-313-17			01-0761-11	32-601-20
8-40-28 8-75-28 8-85-28 8-110-28 8-116-28 8-116-28 8-125-20	50-2001-14	89-112-17,26	11-1431-16	35-211-23
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8-125-20 11-313-17	68-1220-20	89-153-28	14-178-20	35-809-15
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	68-1320-15	89-170-17	17-130-20	38-180-25
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11-1770-25	77-590-25	89-401-14	17-670-20	44-1050R-20
17-530-22	77-594-25	89-402-14	17-1090-20	47-110-24
17-550-18	77-692-25	89-403-14	17-1538-16	50-916-20
17-570-17	77-1190-28	89-404-14	17-2030-24	50-2008-19
17-590-24	77-2056R-21	89-405-14	20-103-25	50-2017-26
17-680-17	77-2057-21	89-406-14	20-107-20	50-2801-16
17-685-22	77-2058R-21	89-408-14	20-801-20	50-6302-16
17-690-17	77-2060-21	89-410-14	20-1280-24	56-250-19
17-715-18	80-150-28	89-546-25	20-1282-24	56-350-21
17-720-18	80-310-14,15	89-682-14	20-1520-25	56-2520-18
17-730-17	83-300-25	89-755-28	20-1770-28	56-2725-19
17-740-17	83-757-24	89-787R-14	23-1-18	56-5300-24
17-2650-20	83-761-26	89-827-25	23-1400-18	59-101-24
23-1-26	83-762-26	89-830-25	23-2700-28	59-111-15
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